

No. 1814 In the Matter of Esp Louis G. Bartollo, Decd.
Resident NHI Bank Mobile Administrator, Executor or Guardian. Residence _____
 Attorneys B Blackburn Docket _____ Page _____ Fee Book _____ Page _____

| DATE | FEEES OF PROBATE JUDGE | AMOUNT | DATE | FEEES OF PROBATE JUDGE | AMOUNT |
|------|---|--------|------|--|--------|
| | Will—Order on Presentation, \$1.00 | | | BROUGHT FORWARD, | |
| | Affidavit in Petition for Probate, 25c | | | Affidavit to Report, 25c | |
| | Recording Petition, per 100 words, 15c | | | Recording, per 100 words, 15c | |
| | Issuing Citation, ent'g Sheriff's Returns, 50c | | | Appointing Com'r to Divide, and Writ, \$2.00 | |
| | App'ting and Notifying Guard, ad Litem, 50c | | | Approving Division and Order thereon, \$1.00 | |
| | Issuing Subpoenas for Witness, 50c | | | App'ting and Notifying Guard. ad Litem, 50c | |
| | Affidavit of Witnesses, 25c | | | PARTIAL SETTLEMENT—Affidavit in Acc't, 25c | |
| | Examining Wit. and order Probating, \$2.00 | | | Affidavit to List of Heirs, 25c | |
| | Issuing Commission to take Deposition, 50c | | | Examining, Stating Acc't and Ap. Hear., \$1.00 | |
| | Filing Interrogatories, 10c | | | Order to Publish Notice of Sale, 50c | |
| | Copy of same, per 100 words, 15c | | | App'ting and Notifying Guard. ad Litem, 50c | |
| | Recording Will, per 100 words, 15c | | | Examining Vouchers, 10c | |
| | Recording Testimony, per 100 words, 15c | | | Administering Affidavits, 25c | |
| | Certificate, without seal, 25c | | | Making Decree and Order to Record, \$1.50 | |
| | Certificate, with seal, 50c | | | Recording same, per 100 words, 15c | |
| | Presiding at Trial C't'd Will, per day, \$2.50 | | | Filing Claims and giving Receipt, 15c | |
| | Letters—Affidavit in Petition, 25c | | | INSOLVENCY—Affidavit in Report, 25c | |
| | Recording Petition, per 100 words, 15c | | | Affidavit to Statements, 25c | |
| | Recording Rel. right to Adm'r, 100 words, 15c | | | Recording Rep't and Statem't, 100 words, 15c | |
| | Granting Letters of Administration, 50c | | | Order Appointing Day of Hearing, 25c | |
| | Issuing and Recording same, 50c | | | Order to Publish Notice of same, 25c | |
| | Granting Let. of Gu'd'nship, each minor, 75c | | | Order for Citations, 25c | |
| | Issuing, Filing and Recording same, 50c | | | Iss'g Notice to Creditor Day of Hearing, 50c | |
| | Taking, App., Filing, Rec. Adm. Bonds, \$1.00 | | | Order Sustaining Report, 25c | |
| | Taking, App. Filing, Guard. Bond, \$1.00 | | | Order for Settlement, 25c | |
| | Affidavit of Justification, 25c | | | Order to Publish Day of Settlement, 25c | |
| | Granting Order of Appraisalment, 50c | | | Issuing Notice of Day of Settlement, 25c | |
| | Issuing Order of Appraisalment, 25c | | | Affidavit to Amount of Claims, 25c | |
| | Recording same, per 100 words, 15c | | | App'ting and Notifying Guard. ad Litem, 50c | |
| | Order Removing Executor, Adm. Guard., \$2.00 | | | SALE OF REAL ESTATE—Affidavit in Petition, 25c | |
| | Order Appointing General Guardian, \$1.00 | | | Recording Petition, per 100 words, 15c | |
| | Issuing and Recording same, 50c | | | Order App'g Day of Hear. and Notice, \$1.00 | |
| | Order Appointing General Administ'r., \$1.00 | | | Order to Publish Notice of same, 50c | |
| | Issuing and Recording same, 50c | | | Issuing Citations, Ent'g Sheriff's Return, 50c | |
| | Order Appointing Adm'r ad Litem, \$1.00 | | | App'ting and Notifying Guard. ad Litem, 50c | |
| | Issuing and Recording same, 50c | | | Issuing Commission to take Deposition, 50c | |
| | HOMESTEAD—Rec. Pet'n for Com., 100 words, 15c | | | Filing Interrogatories, 10c | |
| | Record, Order for App., per 100 words, 15c | | | Copy of Interrogatories, per 100 words, 15c | |
| | Recording Order for Com., per 100 words, 15c | | | App't'g Com. to Divide and Issue Writ, \$2.00 | |
| | Notice to Commissioners, 50c | | | Affidavit to Report of Same, 25c | |
| | Recording Report of Com., per 100 words, 15c | | | Order Approving Division and Report, \$1.00 | |
| | Record, Order Setting Apart, 100 words, 15c | | | Recording same, per 100 words, 15c | |
| | INVENTORY—Order to Approve and Record, 50c | | | Hearing Applic'n for Dower, Iss'g Writ, \$4.00 | |
| | Affidavit to same, 25c | | | Exam'g Testim'y and Grant Ord'r to Sell, \$2.00 | |
| | Recording same, per 100 words, 15c | | | Recording Depositions, per 100 words, 15c | |
| | SUPPLEMENT INVENTORY—Order App. Rec., 50c | | | Record. Reliq'm't of Dower, 100 words, 15c | |
| | Affidavit to same, 25c | | | Recording Report, per 100 words, 15c | |
| | Recording same, per 100 words, 15c | | | Rec. Paym't Purchase Money, 100 words, 15c | |
| | Recording Decree, per 100 words, 15c | | | Making Order on Report of Sale of Land, 75c | |
| | APPRAISEMENT—Order Approving, Rec., 50c | | | Hear Ap'n to Compel Conveyance, etc., \$2.00 | |
| | Affidavit to same, 25c | | | FINAL SETTLEMENT—Affidavit in Account, 25c | |
| | Recording same, per 100 words, 15c | | | Affidavit to Statement of Heirs, 25c | |
| | SUPPLEMENT APPRAISEMENT—Grant, Order, 50c | | | Exam'g, Stating and Reporting Acc't, \$1.00 | |
| | Issuing Order of Appraisalment, 25c | | | Order to Publish Notice of same, 50c | |
| | Recording Warrants per 100 words, 15c | | | App'ting and Notifying Guard. ad Litem, 50c | |
| | Order to Approve Appraisalment, 50c | | | Examining Vouchers, 10c | |
| | Affidavit to same, 25c | | | Administering Affidavits, 25c | |
| | Recording same, per 100 words, 15c | | | Recording same, per 100 words, 15c | |
| | Recording Decree, per 100 words, 15c | | | Decree in Final Settlement, 50c | |
| | SALE OF PERISHABLE PROPERTY—Petition, 25c | | | SPECIAL PROCEEDINGS—Proceedings for Declara- | |
| | Recording same, per 100 words, 15c | | | tion of Unsound Mind and App. Guard. ad | |
| | Granting Order of Sale, 50c | | | Litem, \$5.00 | |
| | Issuing Order of Sale, 25c | | | Recording Decree Relieving Minors, etc., \$1.00 | |
| | App'ting and Notifying Guard. ad Litem, 50c | | | Proceed to Perpetuate Testimony, per 100 | |
| | Recording, per 100 words, 15c | | | words, 20c | |
| | SALE OF PERSONAL PROPERTY—Petition, 25c | | | Other Services Relating Thereto, 75c | |
| | Recording same, per 100 words, 15c | | | Record. Pro'dings Bind'g Out Appren., \$1.00 | |
| | Granting Order of Sale, 50c | | | | |
| | Issuing Order of Sale, 25c | | | | |
| | Order to Publish Notice of Sale, 50c | | | | |
| | CARRIED FORWARD. | | | Total Probate Judge's Fees | |

9.00
 1.35
 1.35
 50
 1.00

371
 17.41

To Probate Court
 Letters of Admin
 Recording same

Balance Times - for Claims

[Handwritten scribbles and signatures]

No.

The State of Alabama

COUNTY

PROBATE COURT

IN THE MATTER OF

PROBATE FEE BILL

RECEIVED OF

Dollars

in Payment of the above, this

day of

19

Judge of Probate.

| DATE | FEES OF SHERIFF | AMOUNT | DATE | FEES OF WITNESSES | AMOUNT |
|------|---|--------|------|--|--------|
| | Serving and Returning Citations, @ \$0.65 | | | | |
| | Summoning Witness, @ .65 | | | | |
| | Collecting Execution for Cost, 1.50 | | | | |
| | Serving Application to Perpetuate Testimony, 1.00 | | | | |
| | Impaneling Jury, 75 | | | | |
| | Serving Notices, @ .65 | | | | |
| | Summoning Jury Dower, per day, 5.00 | | | | |
| | Serving Writs, @ 1.50 | | | | |
| | Sheriff's Commission, | | | | |
| | FEES OF PRINTER | | | | |
| | FEES OF GUARDIAN AD LITEM | | | | |
| | FEES OF COMMISSIONERS | | | | |
| | | | | I have Received the Amount Opposite my Name. | |

Jacobs' Dept. Store
Loxley, Alabama

April 12, 1941

Judge of Probate Court
of Baldwin County
Bay Minette, Alabama

Dear Sir:

In the matter of the Estate of Louis G. Bertolla
I am enclosing a statement as claim against the Estate
of Louis G. Bertolla.

This is a statement of purchases made by Mr. Louis
G. Bertolla from January 16, 1941 through February 9,
1941.

Thanking you, I am

Yours truly,

JACOBS' DEPT. STORE

J. Jacobs

BJ:JJ
Enc. 1
Statement of purchases

STATEMENT:

JACOBS' DEPT. STORE
LOXLEY, ALABAMA

Feb. 24, 1941

Mr. Louis G. Bertolla
Loxley, Alabama

| | | |
|------------------|--------------------|----------------|
| January 16, 1941 | Groceries | .40 |
| " 16 " | " | .35 |
| " 17 " | " | .05 |
| " 18 " | " | .25 |
| " 18 " | " | .58 |
| " 20 " | " | .10 |
| " 20 " | " | .45 |
| " 20 " | " | .38 |
| " 21 " | " | .10 |
| " 23 " | " | .68 |
| " 23 " | " | .25 |
| " 25 " | " | .45 |
| " 26 " | " | .40 |
| " 28 " | " | .23 |
| " 27 " | " | .60 |
| " 28 " | " | .23 |
| " 30 " | " | .43 |
| " 31 " | " | .30 |
| " 31 " | " | .25 |
| February 1, 1941 | " | .40 |
| " 2 " | " | .10 |
| " 3 " | " | .65 |
| " 4 " | " | .47 |
| " 4 " | " | .68 |
| " 7 " | " | .40 |
| " 9 " | " | 1.56 |
| | | <u>10.74</u> |
| | 2% State Sales Tax | .21 |
| | Total | <u>\$10.95</u> |

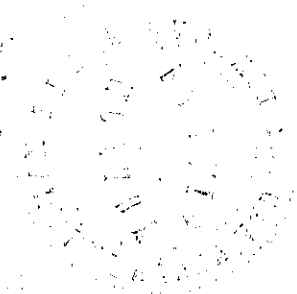
This is to certify that the within statement is true and correct.

Jacobs Dept. Store
J. Jacobs

Subscribed and sworn to before me this 5th day
of April 1941.

Mamie K. Halley
Notary Public.

Class of Books
Napt Store



Pa
1000000

Filed 4/14/44
M. K. Robinson
L. K. Robinson

LOXLEY DRUG STORE
P.O. SMITH MGR.

Account of : ..Louis.G..Bertolla.....February 24, 1941

| | | | |
|------|-------------------------|---------|--------|
| 2-1 | Unicap | \$ 6.00 | |
| 2-7 | Lysol | .25 | |
| 2-10 | Mustrale | .35 | |
| | Cough Drops | .05 | |
| 2-11 | Prescription | .45 | |
| 2-20 | Prescription | 1.00 | |
| 2-21 | Klenex 13, Listrine .25 | .38 | |
| 2-22 | Prescription | .35 | |
| 2-22 | Malted Milk | .45 | |
| 2-22 | Klenex | .13 | \$9.41 |
| | Tax | | .13 |
| | Total | | \$9.54 |

This is to certify that the above statement is true and correct.

Loxley Drug Store
By P. O. Smith

Subscribed and sworn to before me this 5th day
of April, 1941

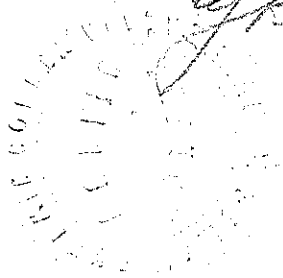
Mamie Kahalley Notary Public.

Claim of Lowley
Dung Co

Filed April 16,

1941

W. Robertson Judge
Leftover bill




Mobile, Alabama,

June , 1941.

Probate Judge of Baldwin County,
Bay Minette, Alabama.

Dear Sir:

Having received satisfaction in full of my claim in the amount of \$16.50 filed by me against the Estate of Louis G. Bertolla, deceased, you are hereby authorized and directed to cancel this claim on the Probate Records of Baldwin County.


Mrs. R. W. Byrne, Jr., R. M.

JUL 1 - 1941

The Merchants National Bank of Mobile

ERNEST F. LADD, PRESIDENT



TRUST DEPARTMENT
M.B. SLAUGHTER, VICE PRES. & TRUST OFFICER
GUY FAULK, JR., ASST. TRUST OFFICER

IN REPLY PLEASE REFER TO

Mobile, Alabama

July 1, 1941

Judge of Probate,
Baldwin County,
Bay Minette, Alabama.

Dear Sir:

The claim of Mrs. R. W. Byrne, Jr., filed against the Estate of Louis G. Bertolla having been paid by the Merchants National Bank of Mobile, Administrator of this estate, we enclose a letter addressed to you authorizing and directing you to cancel this claim in the amount of \$16.50 on the Probate Records of Baldwin County.

Your assistance in effecting this cancellation will be very much appreciated.

Yours, very truly,

Ernest F. Ladd
Assistant Trust Officer.

GF:ec

Received from the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of Nine Thousand, Six Hundred Fourteen and 02/100 Dollars (\$9,614.02), being the amount due the undersigned on partial settlement of the Estate of Louis G. Bertolla, Deceased.

Dated this 30th day of October, 1942.

Helen B. Jacobs

Voucher #5-#6

The BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Ford Cook

being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Notice of Final Settlement

Legal Notices

NOTICE

In the matter of the estate of LOUIS G. BERTOLLA, Deceased

In the Circuit Court of Baldwin County, Alabama, In Equity — Number 716.

A petition for final settlement of this said estate, accompanied by account and vouchers, having been filed in this cause by the Merchants National Bank, of Mobile, a Corporation, as administrator of the Estate of Louis G. Bertolla, Deceased, notice is hereby given that pursuant to a decree of this Court rendered in this cause, I will, at ten o'clock, a.m. on the 10th day of October, 1945, hold a reference at my office in the Court House of Baldwin County, Alabama, at Bay Minette, Alabama, for the purpose of examining and auditing the said account and considering all other matters in connection therewith, at which time and place all persons interested may appear and contest the same if they think proper.

Witness my hand this 18th day of September, 1945.

R. S. DUCK,

Register of the Circuit Court of Baldwin County, Alabama, in Equity.

J. B. BLACKBURN,

Solicitor for Administrator. 34-3tc.

COST STATEMENT

176 WORDS @ 3 1/2 cents \$ 6.06

I hereby certify this is correct, due and unpaid (paid).

Ford Cook

Publisher.

Was published in said newspaper for _____ consecutive weeks in the following issues:

Date of 1st publication Sept 20, 1945 Vol. 56 No. 34

Date of 2nd publication Sept 27, 1945 Vol. 56 No. 35

Date of 3rd publication October 4, 1945 Vol. 56 No. 36

Date of 4th publication _____, 194____ Vol. _____ No. _____

Subscribed and sworn before the undersigned this _____ day of _____ 194____.

Notary Public, Baldwin County.

Ford Cook

Publisher.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.


NOTE OF TESTIMONY

This cause is submitted for Final Decree on final settlement on behalf of the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, upon the following:

1. Petition for Final Settlement.
2. Order Appointing W. H. Hawkins, as Guardian Ad Litem.
3. Notice of Appointment, Acceptance and Answer of W. H. Hawkins, as Guardian Ad Litem.
4. Decree dated September 12, 1945 setting day for final settlement.
5. Order Appointing H. E. Smith, as Guardian Ad Litem.
6. Notice of Appointment, Acceptance and Answer of H. E. Smith, as Guardian Ad Litem.
7. Acceptance of Service and Waiver of Notice of the National Surety Corporation.
8. Acceptance of Service and Waiver of Notice of Helen S. Jacobs, individually and as Guardian Ad Litem of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors.
9. Notice of Reference and proof thereof.
10. Testimony of W. C. Beebe taken on reference.
11. Register's Report on Reference.
12. Waiver of Notice of the Filing of Register's Report and Right to File Exceptions thereto.

Dated this 15th day of October, 1945.


Register.


Solicitor for Administrator.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

PETITION FOR PARTIAL SETTLEMENT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, the Merchants National Bank of Mobile, a Corporation, respectfully represents unto the Court and your Honor as follows:

1. That it is a National Banking Corporation and as such was duly appointed by and qualified in the Probate Court of Baldwin County, Alabama, as Administrator of the Estate of Louis G. Bertolla, Deceased, on March 4, 1941, and is now acting as such Administrator.

2. After the appointment of Petitioner as such Administrator, and on to-wit, April 22, 1942, it filed a Petition in the Circuit Court of Baldwin County, Alabama, Equity Side, praying that the administration of the said estate be removed from the Probate Court of Baldwin County, Alabama to the Equity Side of said Circuit Court and on to-wit, April 22, 1941, a Decree was rendered removing the said estate to the said Circuit Court Sitting in Equity, where it is now pending.

3. That immediately after the appointment of Petitioner as said Administrator, it entered upon its duties as such and has handled all of the affairs of the said estate diligently and to the best of its ability. It has not used any of the funds or other assets of the said estate for its own benefit, either directly or indirectly.

4. The said estate has at all times been fully solvent and Petitioner as said Administrator, has made certain monthly advances to the widow of the said decedent, all of which will fully appear from the list of disbursements hereto attached. While the said advances were made to the said widow, the amounts so advanced were

partly used for the maintenance and support of Denny Louis Bertolla and Helen Elizabeth Bertolla, minor children of the said Decedent, and on this settlement part of the said funds should be charged against the distributive share of each of the said minors.

5. All obligations due the said estate have been collected. The interest of the said Louis G. Bertolla, Deceased, in the firm of A. Bertolla and Sons, a Partnership in which he was a member at the time of his death, have been sold to the surviving partners, as will fully appear from the pleadings filed and decrees rendered in the case of the Merchants National Bank of Mobile, a Corporation, as Administrator of the estate of Louis G. Bertolla, Deceased, et al, Complainants, vs. Alex S. Bertolla, et al, Respondents, being case Number 805, now pending in the Circuit Court of Baldwin County, Alabama, in Equity, in which case the sum of Two Thousand Dollars was ordered paid to the widow of the said decedent in lieu of her dower interest in the property so sold, which sum has been paid. All claims filed against the said estate have been fully paid except the claim of the surviving partners of the said firm of A. Bertolla and Sons for the sum of \$26,972.63, being the amount collected by Petitioner as said Administrator, from the New York Life Insurance Company on its policy of insurance Numbered 10063412 on the life of Louis G. Bertolla, Deceased. Litigation over these funds is now being had in the said case referred to in this paragraph. Because of this litigation it has been and is now impossible for Petitioner to make a final settlement of this said estate but as it has funds in its possession which should be paid to those entitled to them, it is filing this Petition for partial settlement at this time.

6. Attached hereto marked Exhibit "A" and by reference made a part hereof as though fully incorporated herein is a statement of all cash receipts of Petitioner as such Administrator, and attached hereto marked Exhibit "B" and by reference made a part hereof as though fully incorporated herein is a statement of all disbursements

CHANCERY EXECUTION

BILL OF COSTS

ESTATE OF LOUIS G. BERTOLLA

No. 716

Vs.

Plaintiff

Defendant

| FEES OF REGISTER | Dollars | Cents | Brought Forward..... | \$ | Cts |
|---|---------|-------------------|---|--------|-------|
| Filing each bill and other papers..... | \$ | 10 | For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%. | 15 | 70 |
| Issuing each subpoena..... | 50 | | Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received. | 13 | 20 |
| Issuing each copy thereof..... | 40 | | Each notice sent by mail to creditor... | 15 | |
| Entering each return thereof..... | 15 | | Filing, receipting for and docketing each claim, etc..... | 25 | |
| For each order of publication..... | 1 00 | | For all entries on subpoena docket, etc..... | 50 | |
| Issuing writ of injunction..... | 1 50 | | For all entries on commission docket, etc..... | 50 | |
| For each copy thereof..... | 50 | | Making final record, per 100 words | 15 | 12 00 |
| Entering each return thereof..... | 15 | | Certified copy of decree..... | 1 00 | 1 00 |
| Issuing Writ of Attachment..... | 1 00 | | Report of divorce to State Health Office (Acts 1915) | 50 | |
| Entering each return thereof..... | 15 | | Total Fees of Register..... | 28 | 70 |
| Docketing each case..... | 1 00 | | FEES OF SHERIFF | | |
| Entering each appearance..... | 25 | 50 | Serving and returning subpoena on deft..... | \$1 50 | |
| Issuing each decree pro confesso on per. ser..... | 1 00 | | Serving and returning subpoena for witness..... | 65 | |
| Issuing each decree pro confesso on publication..... | 1 00 | | Levying attachment..... | 3 00 | |
| Each order appointing guardian..... | 2 1 00 | 2 00 | Entering and returning same..... | 25 | |
| Any other order by Register..... | 50 | | Selling property attached..... | 75 | |
| Issuing commission to take testimony..... | 50 | | Impaneling Jury..... | 2 50 | |
| Receiving and filing..... | 10 | | Executing writ of possession..... | 1 50 | |
| Endorsing each package..... | 10 | | Collecting execution for costs..... | 65 | |
| Entering order submitting cause..... | 50 | | Serving and returning sci. fa., each..... | 65 | |
| Entering any other order of court..... | 25 | | Serving and returning notice..... | 65 | |
| Noting all testimony..... | 50 | | Serving and returning writ of injunction..... | 1 50 | |
| Abstract of cause, etc..... | 1 00 | | Serving and returning writ of exeat..... | 1 50 | |
| Entering each decree..... | 2 75 | 1 50 | Taking and approving bonds, each..... | 75 | |
| For every 100 words over 500..... | 15 | 3 00 | Collecting money on execution..... | 2 50 | |
| Taking account, etc..... | 3 00 | 3 00 | Making deed..... | 2 50 | |
| Taking testimony, etc..... | 15 | | Serving and returning application, etc..... | 1 00 | |
| Each report, 500 words or less..... | 2 50 | 2 50 | Serving attachment, contempt of court..... | 1 50 | |
| For every 100 words over 500..... | 15 | | Total Fees of Sheriff..... | | |
| Amount claimed less than \$500, etc..... | 2 00 | | RECAPITULATION | | |
| Issuing each subpoena..... | 25 | | Register's Fees..... | 28 | 70 |
| Witness certificate, each..... | 25 | | Sheriff's Fees..... | | |
| Issuing execution, each..... | 75 | | Commissioner's Fees..... | | |
| Entering each return..... | 15 | | Solicitor's Fees..... | 45 | 00 |
| Taking and approving bond, each..... | 1 00 | | Witness Fees Appraisers Fees..... | 50 | 00 |
| Making copy of bill, etc..... | 15 | | Guardian Ad Litem..... | 50 | 00 |
| Each notice not otherwise provided for..... | 50 | | Printer's Fees Baldwin Times..... | 6 | 06 |
| Each certificate or affidavit, with seal..... | 50 | | Trial Tax..... | 3 | 00 |
| Each certificate or affidavit, no seal..... | 25 | | Recording Decree in Probate Court..... | | |
| Hearing and passing on application, etc..... | 3 00 | | Total..... | 129 | 76 |
| Each settlement with receiver, etc..... | 3 00 | | | | |
| Exam'ing each voucher of Receiver, etc..... | 10 | | | | |
| Examining each answer, etc..... | 3 00 | 2 30 | | | |
| Recording resignation, etc..... | 75 | | | | |
| Entering each cert. to Supreme Court..... | 50 | | | | |
| Taking questions and answers, etc..... | 25 | | | | |
| For all other ser. relating to such proceedings..... | 1 00 | | | | |
| For services in proceeding to relieve minors, etc., same fee as in similar cases..... | | | | | |
| Commission on sales, etc.: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1½ per ct.; all over \$1,000, an dnot exceeding \$20,000, 1 per ct.; all over \$20,000, ¼ of 1 per ct..... | | 15 70 | | | |
| Sub Total Carried Forward..... | | 118 25 | | | |

The State of Alabama, }
Baldwin County. }

No. _____
Circuit Court, In Equity _____ Term, 194 _____

To Any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of _____

_____ Defendant.....

you cause to be made the sum of _____ Dollars,

which _____ Plaintiff.....

recovered of _____ on the _____ day of _____ 194 _____

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____

_____ Dollars,

costs of suit, and have the same to render to the said _____ and make return of this Writ and the execution thereof, according to law.

Interest from _____ 194 _____ to date of collection. 545

Witness my hand, this _____ day of _____ 194 _____

_____, Register.

NOTE OF TESTIMONY

ESTATE OF

LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Filed 10-15-45

*Robert
Regan*

Statement

Mr. L. G. Bertolla

To
Canaan Mercantile Company

March 31st, 1941.

| 1941 | | | |
|--------|-----------|--|---------|
| Feb. 1 | Misc | | .46 |
| | " | | 1.91 |
| | " | | 1.42 |
| 3 | " | | .44 |
| | " | | .43 |
| 4 | " | | .45 |
| 5 | " | | .70 |
| 6 | " | | 1.10 |
| 7 | " | | .25 |
| 8 | " | | .10 |
| | " | | 2.60 |
| | " | | 1.20 |
| 10 | " | | .44 |
| 11 | " | | .25 |
| | " | | .50 |
| 12 | " | | 1.30 |
| 13 | " | | 1.85 |
| | " | | .15 |
| 14 | " | | .05 |
| 15 | " | | 2.40 |
| 17 | " | | .30 |
| 18 | " | | .55 |
| | " | | .50 |
| 19 | " | | 1.11 |
| 20 | " | | .20 |
| | " | | .85 |
| 21 | " | | .85 |
| | " | | .33 |
| 22 | " | | .30 |
| | " | | .10 |
| | " | | 2.68 |
| 24 | " | | 1.08 |
| | " | | .57 |
| | | | ----- |
| | | | 27.42 |
| | Sales Tax | | .54 |
| | | | ----- |
| | Total | | \$27.96 |

This is to certify that the within statement is true and correct.

W. J. Canaan

Subscribed and sworn to before me this 7th day
of April, 1941

Mamie Kahalley Notary Public.

October 1, 1942

Received from the Merchants National Bank, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of Seven Hundred Fifty Dollars (\$750.00) for legal services in connection with partial settlement of the Estate of Louis G. Bertolla, Deceased on September 29, 1942.

J. B. Blackburn.

(Duplicate voucher)

February 27, 1945

Received from the Merchants National Bank, of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of Nineteen and 95/100 Dollars (\$19.95) for court costs in connection with the proceeding reducing amount of Administrator's bond in said cause.



Register of the Circuit Court of Baldwin
County, Alabama.

(Duplicate voucher)

January 10, 1944

Received from the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of \$21,578.10 for payment as directed by Decree of the Circuit Court of Baldwin County, Alabama dated November 6, 1943, representing a portion of the proceeds of insurance on the life of Louis G. Bertolla, Deceased.



Register of the Circuit Court of
Baldwin County, Alabama.

(Duplicate voucher)

made by Petitioner as such Administrator. Each of the said exhibits is identified by the signature of M. B. Slaughter, Petitioner's Vice President and Trust Officer. Vouchers evidencing all expenditures are filed herewith.

7. The heirs of the said Louis G. Bertolla, Deceased, and those entitled to share in a distribution of his said estate are as follows: Helen S. Bertolla Jacobs, the widow, who is over twenty-one years of age and whose residence and post office address is Loxley, Baldwin County, Alabama; Denny Louis Bertolla, a son, seven years of age, and Helen Elizabeth Bertolla, a daughter, one year of age, each of whom reside with their mother at Loxley, in Baldwin County, Alabama. The said minors have no guardian.

WHEREFORE, Petitioner respectfully prays for the following relief:

1. That the Court will take jurisdiction of the cause made by this Petition, appoint and set a day to hear and determine same; that notice thereof be given to all necessary and proper parties in the same manner as required by law in cases of final settlement in order that Petitioner may have the protection afforded by Title 61, Section 315 of the 1940 Code of Alabama.

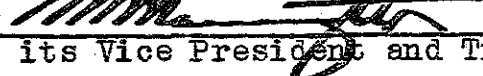
2. That a reference be ordered held to examine and audit Petitioner's account filed herewith and to determine all other matters necessary in connection with this partial settlement.

3. That on a final hearing of this said Petition for Partial Settlement, all things done by the said Administrator in its handling of the said estate be ratified and confirmed; that a Decree be rendered passing the above account as stated, allowing Petitioner all credits claimed, fixing its compensation for the services rendered by it, ordering a distribution of such part of the moneys remaining in its hands as such Administrator as may be proper, discharging Petitioner and the surety on its bond from all duty and liability for all matters determined in this partial settlement, and reducing the bond of Petitioner as such Administrator to such amount as will be adequate to protect all parties interested in the proper administration of the said estate.

4. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Respectfully submitted,

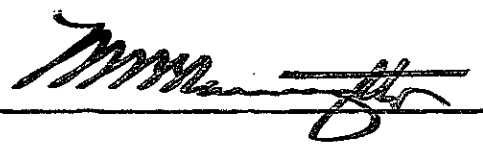
THE MERCHANTS NATIONAL BANK OF MOBILE,
a Corporation, as Administrator of the
Estate of Louis G. Bertolla, Deceased.

By 
As its Vice President and Trust Officer.
A

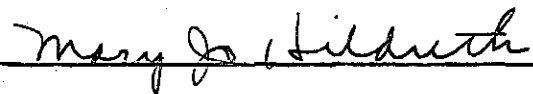
STATE OF ALABAMA |

MOBILE COUNTY |

Before me, the undersigned authority within and for said County in said State, personally appeared M. B. Slaughter, who, after being by me first duly and legally sworn, deposes and says: That he is Vice President and Trust Officer of the Merchants National Bank of Mobile, a Corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said corporation; that he has read the foregoing Petition; that each and all of the allegations contained therein are true.



Sworn to and subscribed before me
on this the 18 day of August, 1942.


Notary Public, Mobile County, Alabama.

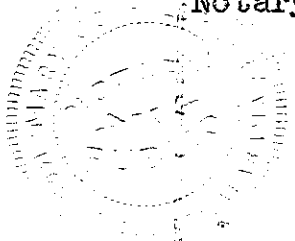


EXHIBIT "A"

STATEMENT OF CASH RECEIPTS

| <u>DATE</u> <u>1941</u> | <u>Explanation</u> | <u>Amount</u> |
|----------------------------|---|--------------------|
| Mar. 14 | Balance of cash in checking account of Louis G. Bertolla with the Merchants National Bank of Mobile | \$364.14 |
| 21 | Received in full settlement of all claims under Policy #10063412 of New York Life Insurance Co. on life of Louis G. Bertolla, Deceased, check of New York Life Insurance Co. #D724 | 26,972.63 |
| Oct. 15 | Received from Treasury of United States as payment A/C Funeral expenses of Louis G. Bertolla, World War Veteran | 100.00 |
| <u>1942</u> | | |
| May 6 | Received from Collector of Internal Revenue for refund payment made June 1941 on 1940 Income Tax of L. G. Bertolla \$62.29 and interest | 63.67 |
| 26 | Received from surviving partners of A. Bertolla & Sons in settlement for interest of Louis G. Bertolla in partnership as at date of death, 2/24/41 together with title to home vested in Helen S. Bertolla, widow, with all furnishings and Ford automobile | 66,625.00 |
| 26 | Received from A. Bertolla & Sons for cost of recording release from surviving partners | 4.00 |
| | Total Receipts | <u>\$94,129.44</u> |



 Vice President and Trust Officer,
 Merchants National Bank of Mobile,
 a Corporation,
 As Administrator of the Estate of
 Louis G. Bertolla, Deceased.

EXHIBIT "B"

STATEMENT OF DISBURSEMENTS

| <u>DATE</u> <u>1941</u> | <u>Explanation</u> | <u>Amount</u> | <u>Voucher No.</u> |
|----------------------------|--|---------------|--------------------|
| Mar. 21 | Draft to B. F. Adams & Co., for premium on bond #418350 for the Merchants National Bank of Mobile, as Administrator of Estate of Louis G. Bertolla | \$ 612.00 | 1 |
| 22 | To reimburse Garet Aldridge for trip to Robertsdale, Alabama on 3/11/41 Re obtaining Physicians Certificate for collection on A/C New York Life Insurance Co. Policy - 48 miles at \$.05 per mile, toll \$.50, Notary Fee \$.25, miscellaneous \$.15 | 3.30 | 2 |
| 22 | Draft to Dixie Drive It Yourself System for automobile rental for trip to Bay Minette 3/19/41 by Mr. Slaughter \$3.50; Trip to Bay Minette 3/6/41 made by Garet Aldridge \$4.55 | 8.05 | 3 |
| 22 | To reimburse M. B. Slaughter for expenses of trip to Bay Minette and Loxley on 3/6/41 re matters of estate. - Toll 50¢, meals \$1.83; incidentals 25¢ | 2.58 | 4 |
| 27 | Cost of telephone calls re restate of Louis G. Bertolla: To J. B. Blackburn, Bay Minette 3/6/41 \$.30 To J. B. Blackburn, Bay Minette 3/7/41 .30 To Dr. H. W. Jordan, Robertsdale 3/7/41 .60 To J. B. Blackburn, Bay Minette 3/19/41 .30 | 1.50 | 5 |
| Apr. 3 | Draft to Allen Memorial Home in payment of bill dated 4/2/41 for Mrs. Louis G. Bertolla 3/28/41 to 4/7/41 | 50.00 | 6 |
| 3 | Draft to Mrs. Helen Elizabeth Bertolla for cash advanced to Mrs. Bertolla | 25.00 | 7 |
| 5 | Draft to Mrs. Helen S. Bertolla representing advance to Mrs. Helen S. Bertolla against her distributive share in estate of Louis G. Bertolla, deceased | 500.00 | 8 |
| 11 | Draft to Canaan Mercantile Co., in payment for purchases made by Mrs. L. G. Bertolla from 2/25/41 to 3/26/41 as per statement rendered | 6.22 | 9 |
| 11 | Draft to Jacobs Department store in payment for purchases made by Mrs. L. G. Bertolla during period from 3/5 to 3/31/41 | 26.25 | 10 |
| 11 | Draft to Loxley Drug Store in payment of bill for purchases made for estate of L.G. Bertolla from date of Mr. Bertolla's death to 4/31/41 | 4.92 | 11 |
| 19 | Draft to Dixie Drive It Yourself in payment for gasoline used on trip to Loxley April 4, 1941 | 1.12 | 12 |
| 21 | Draft to J.B. Blackburn on a/c of Legal Service rendered and to be rendered re estate of L.G. Bertolla, deceased | 2500.00 | 13 |


| <u>DATE</u> 1941 | <u>Explanation</u> | <u>Amount</u> | <u>Voucher No</u> |
|---------------------|--|---------------|-------------------|
| 21 | Draft to Mrs. R. W. Byrne, Jr. for professional service from February 22 to 24th incl. 1941 to Mr. L. G. Bertolla, Loxley, Alabama | \$ 16.50 | 14 |
| 23 | Draft to Griffins Master Service Station for Gas & Oil & Auto Supplies & Service for A/C of Mrs. Helen Bertolla during month of March, 1941 | 15.41 | 15 |
| 25 | Draft to V. R. Pritchard for professional services rendered in connection with a special examination of the books & accounts of A. Bertolla & Sons to ascertain its financial condition as of 2/24/41 and the compilation of other data required in the preparation of the estate tax return, also necessary travel expenses | 600.00 | 16 |
| May 3 | Draft to credit account of Helen S. Bertolla for advance as per her request | 500.00 | 17 |
| 6 | To The Merchants National Bank of Mobile, reimbursement for cost of telephone call as follows: 4 calls to J. B. Blackburn, Bay Minette 4/1/41, 4/21/41, 4/24/41, 4/29/41 at 35¢ | 1.20 | 18 |
| 8 | Draft to Canaan Mercantile Co. in full settlement of claim as filed in probate court of Baldwin Co. | 27.96 | 19 |
| 8 | Draft to Drs. Jordan & Jordan for professional services rendered Louis G. Bertolla, deceased, as per claim filed in probate court of Baldwin Co. | 126.00 | 20 |
| 10 | Reimbursement to M. B. Slaughter Vice President and Trust Officer for expenses of trip with J. B. Blackburn, attorney for estate of L. G. Bertolla & Hawkins, guardian ad litem, to Monroeville, Ala. and return on 5/7/41 in matter of petition to Circuit Court for authority to retain certain non-legal assets of estate: 194.2 miles @ 06 \$11.65 Tunnel Toll .50 Meals & Misc. 1.70 | 13.85 | 21 |
| 13 | Draft to Loxley Drug Co. in payment for drugs purchased for Louis G. Bertolla prior to his death | 9.54 | 22 |
| 13 | Draft to Jacobs Department Store in payment for groceries purchased by Louis G. Bertolla prior to his death | 10.95 | 23 |
| 15 | Draft to John Larson in full payment for one grave vault for Louis G. Bertolla | 66.30 | 24 |
| 17 | Draft to Higgins Mortuary, Inc. in full settlement for complete funeral services for L. G. Bertolla as per claim filed in Probate Court of Baldwin County | 625.65 | 25 |
| 19 | Draft to Register of Circuit Court of Baldwin County for cost of court including guardian ad litem fee incident to decree authorizing retention of securities by administration | 89.81 | 26 |

| <u>DATE</u> 1941 | <u>Explanation</u> | <u>Amount</u> | <u>Voucher No.</u> |
|---------------------|---|---------------|--------------------|
| Apr. 23 | Draft to Mrs. Helen S. Bertolla in payment of advance to her in accordance with her request | \$ 200.00 | 27 |
| June 4 | Draft to Mrs. Helen S. Bertolla in payment of advance to her in payment according with her request | 300.00 | 28 |
| 7 | Draft to collector of Internal Revenue in payment of 2nd quarterly installment due 6/15/41 on 1940 Federal Income Tax, payable by Louis G. Bertolla | 62.29 | 29 |
| 17 | Cost of telephone calls to J. B. Blackburn 5/6 & 5/7/41 | .60 | 30 |
| 18 | Draft to Audie Smith for professional services rendered as nurse for Louis G. Bertolla, deceased, as per claim filed in Probate Court of Baldwin County | 78.00 | 31 |
| July 7 | Draft to Mrs. Helen S. Bertolla as advance in accordance with her request | 300.00 | 32 |
| Aug. 14 | Telephone calls by Mr. Slaughter re estate of Louis G. Bertolla: | | |
| | 7/8/41 to J. B. Blackburn | .60 | 33 |
| | 7/9/41 to Bertolla heirs | .25 | 34 |
| | 7/10/41 to J. B. Blackburn | .30 | 35 |
| Aug. 16 | Draft to credit account of Mrs. Helen S. Bertolla representing advance of distributive share from estate of L. G. Bertolla for support, and maintenance of Helen S. Bertolla and children | 250.00 | 36 |
| Sept. 4 | Draft to Mrs. Helen S. Bertolla for support and maintenance of Helen S. Bertolla and minor children advance against distributive share of estate of Louis G. Bertolla | 250.00 | 37 |
| 11 | Refund to M. B. Slaughter for cost of tunnel tolls incident to trip to Robertsdale, Ala and return on 9/9/41 re matters of estate | .50 | 38 |
| 11 | Draft to Dixie Drive It Yourself System for Auto rental trip of Trust Officer to Robertsdale, Ala and return 9/9/41 | 3.57 | 39 |
| 17 | Draft to V. R. Pritchard for professional services rendered and examination of books and accounts of A. Bertolla & Sons to ascertain financial condition as of 8/31/41 | 375.00 | 40 |
| Oct. 28 | Cost of phone call by M. B. Slaughter to Mrs. L. G. Bertolla 9/4/41 | .40 | 41 |
| Nov. 7 | Draft as of 11/1/41 to credit account of Mrs. Helen S. Bertolla for monthly payments of October and November from Estate | 300.00 | 42 |
| 29 | Draft to credit account Mrs. Helen S. Bertolla for monthly payment for estate | 150.00 | 43 |

| <u>DATE</u> 1941 | <u>Explanation</u> | <u>Amount</u> | <u>Voucher No.</u> |
|---------------------|---|---------------|--------------------|
| Dec. | 4 Cost of telephone calls to M. B. Slaughter to J. B. Blackburn, Bay Minette re estate of Louis G. Bertolla: | | |
| | 10/16/41 .45 | | |
| | 10/17/41 .55 | | |
| | 10/24/41 .65 | | |
| | 10/28/41 .55 | 2.20 | 44 |
| | 4 Cost of telephone calls from Mrs. L. G. Bertolla Loxley, Ala | | |
| | 10/29/41 .30 | | |
| | 10/31/41 .15 | .45 | 45 |
| | 8 Draft to Collector of Internal Revenue in payment of additional 1939 Federal Income Tax assessed against estate of Louis G. Bertolla dec'd \$120.54 plus \$11.51 total \$132.05 also additional '40 income tax .95 plus 03 interest total .98 | 133.03 | 46 |
| | 31 Draft to credit account of Mrs. Helen S. Bertolla for monthly payment due 1/1/42 | 150.00 | 47 |
| 1942 | | | |
| Jan. | 5 Cost of telephone call 11/1/42 to J. B. Blackburn Bay Minette re estate of L. G. Bertolla | .65 | 48 |
| Feb. | 21 Credit checking account Mrs. Helen Bertolla as of 12/17/41 advance from estate | 200.00 | 49 |
| | 21 Draft to State Department of Revenue in payment State of Alabama Income tax additional assessment for 1939 of \$68.79 and 7.65 interest from 3/15/40 less \$6.89 overassessment for 1940 all assessed against Louis G. Bertolla deceased | 69.55 | 50 |
| | 31 Draft to credit account Mrs. Helen S. Bertolla for regular monthly payment 2/1/42 | 150.00 | 51 |
| Feb. | 27 Cost of phone calls to J. B. Blackburn of Bay Minette re estate of Louis G. Bertolla: | | |
| | 1/20/42 .55 | | |
| | 1/23/42 .35 | .90 | 52 |
| | 28 Draft to credit account of Mrs. Helen Bertolla for monthly payment | 150.00 | 53 |
| Mar. | 4 Telephone calls to J. B. Blackburn by M. B. Slaughter as follows, re estate of L.G. Bertolla | | |
| | 2/2/42 .35 | | |
| | 2/28/42 .35 | .70 | 54 |
| | 5 Draft to B. F. Adams & Co for annual premium on surety bond No. 418350 National Surety Co. for administrator | 612.00 | 55 |
| | 16 Draft to Bank for 42 days interest on \$1,753.94 indebtedness of Mrs. Helen S. Bertolla constituting advance to her | 12.23 | 56 |
| | 25 Telephone calls to J. B. Blackburn as follows: 2/2/42 .35, 2/3/42 .35, 2/5/42 .35 2/12/42 1.50 | | 57 |
| | 31 Draft to credit account Mrs. Helen S. Bertolla for monthly payment due 4/1/42 | 150.00 | 58 |

| <u>DATE</u> 1942 | <u>Explanation</u> | <u>Amount</u> | <u>Voucher No.</u> |
|---------------------|--|---------------|--------------------|
| Apr. 14 | Phone calls to J. B. Blackburn 3/5/42 .55 and 3/31/42 .55 re estate | \$ 1.10 | 59 |
| 15 | For additional postage on mail addressed L.G. Bertolla | .50 | 60 |
| 18 | For cost of bridge tolls in trip of trust officer to Loxley, Ala 4/17/42 re estate | .50 | 61 |
| 21 | Draft to V. R. Prichard for professional service in connection with attending conference re settlement of claim of estate against A. Bertolla & Sons for 1/5 interest in partnership | 50.00 | 62 |
| 29 | Draft to credit account Mrs. Bertolla for monthly payment due 5/1/42 | 150.00 | 63 |
| May 13 | Telephone calls made re estate: | | |
| | 4/7/42 to Mr. Blackburn .45 | .45 | 64 |
| | 4/7/42 to Mr. Blackburn 1.20 | 1.20 | 65 |
| | 4/17/42 to Mr. Blackburn .55 | .55 | 66 |
| | 4/7/42 to Miss Viola Bertolla 1.35 | 1.35 | 67 |
| | 5/16/42 to Mrs. L. G. Bertolla .75 | .75 | 68 |
| 19 | Draft to Collector of Internal Revenue for Federal Estate tax payable by adm. | 639.73 | 69 |
| 26 | Draft to R. S. Duck, register in Chancery, Baldwin County, Alabama for Court costs as per statement dated 5/25/42 in case of The Merchants National Bank of Mobile as Administrator of estate of L. G. Bertolla vs. Alex S. Bertolla et al according to settlement of case ordered in decree dated 5/15/42 | 3,369.00 | 70 |
| May 26 | Draft to A. Bertolla & Sons representing funds in checking account in name of L. G. Bertolla, which were in fact funds of the partnership of A. Bertolla & Sons. These funds having been inadvertently taken over by the administrator of the estate | 364.14 | 71 |
| 26 | Draft to A. Bertolla & Sons for cost of Revenue Stamps to be attached to deed from administrator of estate and Helen Bertolla dated 5/23/42 | 21.00 | 72 |
| 30 | Draft to credit account Mrs. Helen S. Bertolla for regular monthly payment | 150.00 | 73 |
| June 13 | For cost of long distance call on 5/19/42 to J. B. Blackburn of Bay Minette by M. B. Slaughter re estate | .75 | 74 |
| 13 | Draft to Bank for interest to 6/15/42 on indebtedness of Mrs. Bertolla | 26.59 | 75 |
| 30 | Draft to credit account Mrs. Bertolla for monthly payment due for support and maintenance | 150.00 | 76 |
| July 25 | Draft to Mrs. Helen B. Jacobs representing payment in lieu of dower interest in Estate of L.G. Bertolla, Deceased, as directed by Decree of Circuit Court of Baldwin County, rendered on July 22, 1942 | 2000.00 | 77 |

| <u>DATE</u> 1942 | <u>Explanation</u> | <u>Amount</u> | <u>Voucher No.</u> |
|---------------------|---|--------------------|--------------------|
| July 25 | Draft to Circuit Court of Baldwin County for costs of Court incident to Decree rendered 7-22-42 ordering payment to Mrs. Jacobs in lieu of her dower interest | \$ 47.05 | 78 |
| July 31 | Draft to credit of Mrs. Helen S. Bertolla for monthly payment due from estate for support and maintenance | 150.00 | 79 |
| Aug. 17 | Draft to A. Bertolla & Sons in payment of claim filed in the Probate Court of Baldwin County 9/3/41 representing sundry disbursements made for the benefit of Louis G. Bertolla | 486.72 | 80 |
| Total disbursements | | <u>\$17,360.21</u> | |


 Vice President and Trust Officer,
 Merchants National Bank of Mobile,
 a Corporation,
 As Administrator of the Estate of
 Louis G. Bertolla, Deceased.

RECAPITULATION

| | |
|---|-------------|
| Total Receipts..... | \$94,129.44 |
| Total Disbursements..... | 17,360.21 |
| <hr/> | |
| Balance on hand as of August 18, 1942..... | \$76,769.23 |

The State of Alabama, {
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

May Term, 1941

Wm. L. Lewis Butella, deceased

No. 716 vs.

receipt 601

pd 5-21-41

BILL OF COSTS

| REGISTER'S FEES | AMOUNT | SHERIFF'S FEES: | AMOUNT |
|---|--------|---|--------|
| Fees in Circuit Court— | | Summoning on Bill, Each Defendant..... | 1.50 |
| Docketing Cause, One fee only of..... | 1.00 | Executing Writ of Injunction, or Ne Exeat, each..... | 1.50 |
| Issuing Summons on Bill, each..... | .50* | Executing Subpoenas for Witnesses, each..... | .65 |
| Issuing Copies Thereof, each..... | .40 | Executing Writs of Possession, each..... | 5.00 |
| Entering Return of Same, each..... | .15 | Executing Scire Facias or Notice, each..... | 1.50 |
| Orders of Publication to Non-Residents, each..... | 1.00* | Taking and Approving Bonds, each..... | 1.00 |
| Filing Bill or Other Paper, each..... | 1.20 | Impaneling Jury..... | .75 |
| Copies of Same, Per 100 Words..... | .15 | Collecting Execution for Costs Only, each..... | 1.50 |
| Entering Appearances, each..... | .25* | Sheriff's Commissions..... | |
| Issuing Writs of Injunction, Ne Exeat, each..... | 1.50 | | |
| Issuing Copies Thereof, each..... | .50 | | |
| Entering Return of Same, each..... | .15 | Total Sheriff's Fees..... | |
| Decrees Pro Confesso, each..... | 1.00* | | |
| Order Appointing Guardian Ad Litem, each..... | 1.00* | SUMMARY OF FEES, COSTS, AND JUDGMENT | |
| Issuing Commissions to Take Testimony, each..... | .50 | Fees in Circuit Court— | |
| Taking Testimony, Per Day..... | 1.50 | Register's Fees..... | 22.40 |
| Taking Testimony, Per 100 words..... | .20 | Ex-Register's Fees..... | |
| Receiving and Filing Depositions, each pkg.,..... | .10 | Sheriff's Fees..... | |
| Indorsing Depositions Published, each pkg..... | .10 | Ex-Sheriff's Fees..... | |
| All Entries on Commission Docket, Each Cause..... | .50 | Witness Fees..... | 2.00 |
| Entering Order Submitting Cases for Decree, each..... | .50 | Commissioner's Fees <i>Miller Farish</i> | 43.00 |
| Other Orders of Court, each..... | .25 | Guardian Ad Litem..... | |
| Noting Testimony on Hearing of Cause, each..... | .50 | Publisher's Fees <i>W. H. Hawkins</i> | |
| Entering Decrees, of 500 Words or Less, each..... | .75 | Solicitor's Fees..... | |
| Per 100 words over 500..... | .15 | Court Reporter's Fees, Per Day or fraction thereof..... | 3.00 |
| Taking Accounts, etc., on Ref., per Day..... | 3.00* | Trial Tax..... | |
| Taking Testimony on Reference Relating to Trustee, etc., per 100 words..... | .15 | | |
| Reference and Reports, each..... | 2.00* | Fees and Costs in Inferior Court: | |
| Reports of 500 Words or Less..... | 2.50 | Clerk of Inferior Court Fees..... | |
| Per 100 Words over 500..... | .15 | Sheriff's Fees..... | |
| Issuing Subpoenas for Witnesses, each..... | .25 | Witness Fees..... | |
| Issuing Witness Certificates, each..... | .25 | | |
| All Entries on Subpoena Docket, each Cause..... | .50 | Total Fees and Costs in <u>Superior</u> Court..... | 17.41 |
| Taking and Approving Bonds, each..... | 1.00 | | |
| Making Complete Record, per 100 Words..... | .15 | Total Fees and Costs..... | 69.81 |
| Hearing, etc., Regarding Appointment of Receiver or Trustee..... | 3.00 | Judgment..... | |
| Settlements with Receiver or Trustee, each..... | 3.00 | Total Fees, Costs, and Judgment..... | |
| Examining Vouchers in Settlements, each..... | .10 | | |
| Examining Answers on Exceptions, each Answer..... | 3.00 | | |
| Removal Disabilities on Non-Age..... | | | |
| Commissions on Sales..... | | | |
| Making Deeds to Property Sold, each..... | 2.00 | | |
| Receiving and Paying Out Money Other Than That Arising from Sales..... | | | |
| Certificates or Affidavits, with Seal, each..... | .50 | | |
| Certificates or Affidavits without Seal, each..... | .25 | | |
| Issuing Scire Facias or other Notice, each..... | .50 | | |
| Other Orders of Register, except Cont., each..... | .50 | | |
| Entering Certificates of Supreme Court, each..... | .50 | | |
| Transcript for Supreme Court, per 100 words, each..... | .15 | | |
| Additional Copies, per 100 words..... | .05 | | |
| Appeal Bond, each..... | 1.00 | | |
| ertificate of Appeal, each..... | .50 | | |
| Notice of Appeal, each..... | .50 | | |
| Report to State Board of Health, each case..... | .50 | | |
| Certificate of Judgment, each..... | .25 | | |
| Issuing Executions, each..... | .75 | | |
| Entering Returns Thereof, each..... | .15 | | |
| Total Register's Fees..... | 22.40 | | |

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST:

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST:

Register Circuit Court, Baldwin County, Ala.

No. 716 Page _____ ✓

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

Est. L. Bertollan

vs. Plaintiff _____

Defendant _____

EQUITY COST BILL

Term, 19_____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

July 29th

Term, 1944

Merchants National Bank as adm,
of the estate of Louis G Bertolla.
No. 805. vs.
Alex F Bertolla, at als.

BILL OF COSTS

| REGISTER'S FEES | AMOUNT | SHERIFF'S FEES: | AMOUNT |
|--|--------|---|---------|
| Fees in Circuit Court— Docketing Cause, One fee only of..... | 1.00 | Summoning on Bill, Each Defendant..... | 1.50 |
| Issuing Summons on Bill, each..... | .50* | Executing Writ of Injunction, or Ne Exeat, each.. | 1.50 |
| Issuing Copies Thereof, each..... | .40 | Executing Subpoenas for Witnesses, each..... | .65 |
| Entering Return of Same, each..... | .15 | Executing Writs of Possession, each..... | 5.00 |
| Orders of Publication to Non-Residents, each.... | 1.00* | Executing Scire Facias or Notice, each | 1.50 |
| Filing Bill or Other Paper, each..... | .10 | Taking and Approving Bonds, each..... | 1.00 |
| Copies of Same, Per 100 Words..... | .15 | Impanelling Jury..... | .75 |
| Entering Appearances, each | .25* | Collecting Execution for Costs Only, each..... | 1.50 |
| Issuing Writs of Injunction, Ne Exeat, each.... | 1.50 | Sheriff's Commissions | |
| Issuing Copies Thereof, each | .50 | | |
| Entering Return of Same, each..... | .15 | | |
| Decrees Pro Confesso, each..... | 1.00* | Total Sheriff's Fees | 65 |
| Order Appointing Guardian Ad Litem, each.... | 1.00* | | |
| Issuing Commissions to Take Testimony, each.... | .50 | | |
| Taking Testimony, Per Day..... | 1.50 | | |
| Taking Testimony, Per 100 words..... | .20 | | |
| Receiving and Filing Depositions, each pkg., | .10 | | |
| Indorsing Depositions Published, each pkg.,..... | .10 | | |
| All Entries on Commission Docket, Each Cause.... | .50 | | |
| Entering Order Submitting Cases for Decree, each.. | .50 | | |
| Other Orders of Court, each..... | .25 | | |
| Noting Testimony on Hearing of Cause, each..... | .50 | | |
| Entering Decrees, of 500 Words or Less, each ² | .75 | | |
| Per 100 words over 500..... | .15 | | |
| Taking Accounts, etc., on Ref., per Day..... | 3.00* | | |
| Taking Testimony on Reference Relating to Trustee, etc., per 100 words..... | .15 | | |
| Reference and Reports, each..... | 2.00* | | |
| Reports of 500 Words or Less..... | 2.50 | | |
| Per 100 Words over 500..... | .15 | | |
| Issuing Subpoenas for Witnesses, each..... | .25 | | |
| Issuing Witness Certificates, each..... | .25 | | |
| All Entries on Subpoena Docket, each Cause..... | .50 | | |
| Taking and Approving Bonds, each..... | 1.00 | | |
| Making Complete Record, per 100 Words..... | .15 | | |
| Hearing, etc., Regarding Appointment of Re- ceiver or Trustee | 3.00 | | |
| Settlements with Receiver or Trustee, each..... | 3.00 | | |
| Examining Vouchers in Settlements, each..... | .10 | | |
| Examining Answers on Exceptions, each Answer .. | .30 | | |
| Removal Disabilities on Non-Age..... | | | |
| Commissions on Sales..... | | | |
| Making Deeds to Property Sold, each..... | 2.00 | | |
| Receiving and Paying Out Money Other Than That Arising from Sales ²¹ 578.10..... | 93 95 | | |
| Certificates or Affidavits, with Seal, each..... | .50 | | |
| Certificates or Affidavits without Seal, each..... | .25 | | |
| Issuing Scire Facias or other Notice, each..... | .50 | | |
| Other Orders of Register, except Cont., each..... | .50 | | |
| Entering Certificates of Supreme Court, each..... | .50 | | |
| Transcript for Supreme Court, per 100 words, each.. | .15 | | |
| Additional Copies, per 100 words..... | .05 | | |
| Appeal Bond, each..... | 1.00 | | |
| Certificate of Appeal, each | .50 | | |
| Notice of Appeal, each..... | .50 | | |
| Report to State Board of Health, each case..... | .50 | | |
| Certificate of Judgment, each..... | .25 | | |
| Issuing Executions, each..... | .75 | | |
| Entering Returns Thereof, each..... | .15 | | |
| 4 Copies Decree | 4 00 | | |
| Total Register's Fees | 119 15 | | |
| | | SUMMARY OF FEES, COSTS, AND JUDGMENT | |
| | | Fees in Circuit Court— | |
| | | Register's Fees | 119 15 |
| | | Ex-Register's Fees | |
| | | Sheriff's Fees | 65 |
| | | Ex-Sheriff's Fees | |
| | | Witness Fees | |
| | | Commissioner's Fees ^{M F} | 110.00 |
| | | Guardian Ad Litem ^{Hawkins.} | 350 00 |
| | | Publisher's Fees | |
| | | Solicitor's Fees | |
| | | Court Reporter's Fees, Per Day or fraction thereof . | .50 |
| | | Trial Tax | 3.00 |
| | | | |
| | | Fees and Costs in Inferior Court: | |
| | | Clerk of Inferior Court Fees | |
| | | Sheriff's Fees | |
| | | Witness Fees | |
| | | Total Fees and Costs in Inferior Court | 579 80 |
| | | 4-5ths taxed Complainants Respondants | 463 84 |
| | | Judgment | |
| | | 1-5th taxed Complainants | 115 96 |
| | | Total Fees, Costs, and Judgment | 579 80. |

WS
Voucher # 21

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

Received payment this 4th day of August 1947

ATTEST: R. DeLoach

Register Circuit Court, Baldwin County, Ala.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

vs. Plaintiff

Defendant

EQUITY COST BILL

Term, 19

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

ORDER APPOINTING GUARDIAN AD LITEM ON PETITION OF AD-
MINISTRATOR FOR AUTHORITY TO REDUCE BOND.

It appearing from the sworn Petition filed by The Merchants National Bank, of Mobile, a National Banking Association, as Administrator of the Estate of Louis G. Bertolla, Deceased, that Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age are interested in the said Petition and that it is necessary that a Guardian Ad Litem be appointed to represent them in the said Proceeding. It further appearing that W. H. Hawkins is an attorney and law and solicitor in chancery practicing in Baldwin County, Alabama, and not related by blood or marriage to any of the parties interested in this proceeding; that he is not a stockholder of the petitioning corporation, is not employed by it nor interested in it in any way and is deemed by the Register to be in all respects a fit and suitable person to act as such Guardian Ad Litem.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Register that the said W. H. Hawkins be and he is hereby appointed Guardian Ad Litem for the said minors, Denny Louis Bertolla and Helen Elizabeth Bertolla, to represent them and each of them in all matters in connection with the said Petition and that he protect their respective rights and interests in the said proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Register that the said Guardian Ad Litem be notified of his appointment.

Dated this 21st day of February, 1945.



Register.

RECORDED

PETITION FOR PARTIAL SETTLEMENT

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 716.

Filed July 31st 1942
R. B. Blackburn
Request

J. B. BLACKBURN

ATTORNEY AT LAW

BAY MINETTE

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

DECREE ON PARTIAL SETTLEMENT

This cause coming on again to be heard is submitted on the Register's Report on Partial Settlement and notice to the parties to this cause of the filing of the said Register's Report and the time for which it would lie over for exceptions.

It appears from the said Report that the said reference was held as provided in the Decree rendered in this cause on August 22, 1942, at ten o'clock A. M. on Tuesday, September 22, 1942; that due notice of the time, place and purpose of the said reference was given to all necessary and proper adult parties for more than ten days prior to the said reference by notice served upon or waived by them, that the minors interested in this cause were represented by their Guardian Ad Litem, W. H. Hawkins, Esquire; that the said notice of the said reference so given was the notice requested by the Administrator of this Estate in its Petition for Partial Settlement in the manner and for the purposes provided in Title 61 Section 315 of the 1940 Code of Alabama and the notice required by law for final settlement of estates; that the Register examined and audited the vouchers and statement of account and found it to be correct and each expenditure made by the said Administrator properly allowable; that the heirs of the said Louis G. Bertolla, Deceased are properly set forth in the said Petition for Partial Settlement, which said heirs are Helen S. Bertolla Jacobs, the widow, Denny Louis Bertolla, a son, and Helen Elizabeth Bertolla, a daughter, the two said children being minors; that each of the said parties are entitled on this partial settlement to the amounts shown in the Register's re-statement of account as contained in his Report on the Reference held in this cause, being \$9,614.02 to Helen S. Bertolla Jacobs, \$16,814.10 to Denny Louis Bertolla and \$16,864.10 to Helen Elizabeth Bertolla; that all other amounts which were allowed by the said Register on the said Reference are also shown by the said re-statement

of account which is contained in Paragraph Numbered 9 of the said Report.

It further appearing that the remaining material averments of the said Petition for Partial Settlement are true; that the time allowed by the Register for filing exceptions or objections to the said Report has expired; that no objections or exceptions to it have been filed and that the said Report should now be confirmed and this Estate partially settlement, WHEREUPON, It is Therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Report of the Register filed herein be, and the same is hereby confirmed in all respects.

2. That the account contained in the Petition for Partial Settlement filed herein be, and it is hereby in all respects passed and allowed as stated.

3. That Helen S. Bertolla Jacobs have and recover of the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of \$9,614.02; the said amount being the amount due her on this partial settlement, for which execution may issue.

4. That Denny Louis Bertolla have and recover of the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of \$16,814.10, the said amount being the amount due him on this partial settlement, for which execution may issue in favor of the Guardian for the said minor when appointed, for the use and benefit of the said minor.

5. That Helen Elizabeth Bertolla have and recover of the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the sum of \$16,864.10, the said amount being the amount due her on this partial settlement, for which execution may issue in favor of the Guardian for the said minor when appointed, for the use and benefit of the said minor.

6. The sum of \$3304.72 having been allowed by the Register to the said Administrator as the amount of its commissions due on this partial settlement which is hereby confirmed, the said Administrator is therefore authorized, empowered, instructed and directed

to pay to itself the said sum of \$3304.72 from the funds of the said Estate and take its receipt therefor.

7. The sum of \$3250.00 having been fixed by the Register as and for the attorney's fee due J. B. Blackburn, the Administrator's solicitor of record for all services rendered by him to the said Administrator through this partial settlement not including any services rendered or to be rendered by him in Case Number 805 now pending in this Court, which is hereby confirmed, the said Administrator is authorized, empowered, instructed and directed to pay to the said J. B. Blackburn, the sum of \$750.00 being the balance due him on the said fee and take his receipt therefor.

8. The said Administrator is authorized, empowered, instructed and directed to pay the Court costs in this partial settlement amounting to the total sum of \$324.66, which includes a \$280.00 fee for W. H. Hawkins, as Guardian Ad Litem of and for the minors, Denny Louis Bertolla and Helen Elizabeth Bertolla, which amount has been fixed by the Register and is hereby approved, and take proper receipt therefor.

9. The said Administrator is authorized, empowered, instructed and directed to retain in its possession the insurance fund of \$26,972.63 until the litigation now pending over the said fund is completed and is further authorized to retain the further sum of \$2125.00 as a reserve for taxes, making the total amount so retained amount to the sum of \$29,097.63.

10. On payment of the amounts set out in this Decree the said Administrator, the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, and the surety on its bond as such Administrator, shall be and they are each hereby relieved of and discharged from any and all liability of any and every kind and nature which exists or may exist because of its administration of the said Estate, as to all items of receipts and disbursements and other transactions and matters shown in its Petition for Partial Settlement and as to all fees and compensation fixed in this Decree, *except the amounts ordered retained in paragraph 9 above -*

11. The said Administrator having requested that notice

of this partial settlement be given in the same manner as required by law in cases of final settlement and such notice having been given, this Decree is final and conclusive as to all matters of receipts and disbursements and other transactions and matters shown herein and as to all fees and compensation fixed and allowed herein, and any appeals herefrom shall and must be taken in the manner provided for from any other final decrees of this Court.

12. The said Administrator's bond shall be and is hereby reduced to the sum of \$59,000.00.

13. That all accounts, vouchers, evidences and statements, together with all other papers on file pertaining to this partial settlement and the proceedings thereon be recorded.

14. Jurisdiction of this cause is reserved for such other and further decrees as may be or become necessary and proper in the premises.

Done on this the 29th day of September, 1942.

A. W. Hall

Judge.

RECORDED

DECREE APPOINTING APPRAISERS.

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

RECORDED

PETITION FOR REMOVAL OF
ADMINISTRATION OF ESTATE
TO CIRCUIT COURT, AND ORDER
REMOVING SAME.

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

*Filed April 22, 1941
R. S. Durb, Register*

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

2

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:


Your Petitioner, The Merchants National Bank of Mobile, a Corporation, respectfully represents unto the Court and your Honor as follows:

1. That it was duly appointed by and qualified in the Probate Court of Baldwin County, Alabama, on March 4, 1941, as Administrator of the Estate of Louis G. Bertolla, Deceased, where the said estate is now pending.

2. In the opinion of Petitioner the Administration of the said Estate can be better administered in the Circuit Court of Baldwin County, Alabama, Sitting in Equity, because of the broader powers of the said Equity Court than in the Probate Court of Baldwin County, Alabama:

WHEREFORE, Petitioner prays that the Court will make and enter an order removing the administration of the said Estate from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, sitting in equity.

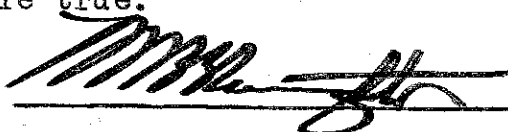
THE MERCHANTS NATIONAL BANK OF MOBILE,
a Corporation,

By 
As its Vice President and Trust Officer.
As Administrator of the Estate of Louis
G. Bertolla, Deceased.

STATE OF ALABAMA

MOBILE COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared M. B. Slaughter, who, after being by me first duly and legally sworn, deposes and says: That he is Vice President and Trust Officer of The Merchants National Bank of Mobile, a Corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said corporation; that he has read the foregoing Petition; that each and all of the allegations contained therein are true.



Sworn to and subscribed before me
on this the 26 day of March, 1941.

Mary Jo Lillard
Notary Public, ^{Mobile}~~Baldwin~~ County, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

The foregoing Petition having been presented to me on this day and it appearing from the said Petition that the administration of the Estate of Louis G. Bertolla, Deceased, can be better administered in the Circuit Court of Baldwin County, Alabama, Sitting in Equity, because of its broader powers than in the Probate Court of Baldwin County, Alabama:

IT IS THEREFORE Ordered, that the administration of the Estate of Louis G. Bertolla, Deceased be, and the same is hereby immediately transferred from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, Sitting in Equity.

Done on this the 27th day of ^{April}~~March~~, 1941.

F. M. Hays
Judge of the Circuit Court of
Baldwin County, Alabama.

IN THE MATTER OF THE
ESTATE OF LOUIS G.
BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

DECREE APPOINTING APPRAISERS

In this cause, it appearing to the Court that the Merchants National Bank, of Mobile, a Corporation, as Administrator of the estate of Louis G. Bertolla, deceased, did file in this Court on May 2, 1941 its Inventory as required by law and further that it is necessary that three Appraisers be appointed to make an Appraisement of the estate of the said decedent, upon all of which it is ORDERED, ADJUDGED and DECREED by the Court as follows:

1. That Fred C. Griffin, Clayton Baldwin and W. A. Healey of Baldwin County, Alabama, be and they are hereby appointed Appraisers to appraise each and every article specified in the Inventory made by the Merchants National Bank of Mobile, a Corporation, as Administrator of the estate of Louis G. Bertolla, deceased, and filed in this cause on May 2, 1941, and return their said Appraisement, on oath, to this Court with all convenient dispatch according to law in such cases made and provided.

2. That the said Appraisers shall also appraise and set aside to the Widow and minor children of the said decedent, namely, Helen Elizabeth Bertolla, Denny Louis Bertolla, and Helen Elizabeth Bertolla: the homestead of the decedent occupied by him at the time of his death, not to exceed in value Two Thousand Dollars (\$2000.00), and in area One Hundred and Sixty acres, with a full description of same and also set aside to the Widow and minor children of the said decedent the wearing apparel of the said decedent, Widow, and minor children, all yarn and cloth on hand intended for their use and consumption, all books kept for the use of the family, and all family portraits and pictures, all grain, stores, and groceries on hand nec-

essary for the support of the family for twelve months after decedent's death, all bedding, household and kitchen furniture necessary for the use and comfort of the family, to be selected by the widow, and personal property belonging to said decedent at the time of his death to the amount of one thousand dollars in value.

3. The Register of this Court shall immediately notify the said Appraisers of their said appointment.

4. Jurisdiction of this cause is reserved for all such other further orders and decrees as may be requisite and proper in the premises.

Done on this the 4th day of Aug. 1941.

F. W. Hare

Judge.

Mobile, Ala. April 17th.1941

State of Alabama
County of Mobile,

I certify that the attached statement is true and correct after all credits and offsets have been applied and that payment of same has not been received.

Sworn to before me this 18th
day of April 1941

Mrs A.W. Byrne Jr
1817 Spring Hill Ave

A. G. G. G.

, Notary Public.

Chambers of
Wm. H. Payne Esq.

13902

Filed Apr 19, 1944
G. W. White as
Judge Probate
by _____

STATEMENT

Date 4/18/41

M Estate of Louis Bertolla

Loxley, Ala.

For professional services rendered by

Mrs R W Byrne Jr. R.N.

From Feb 22nd - 24th Inc. 1941

| | | |
|----|----------------|----------|
| To | Nursing fee | \$ 15.00 |
| | Transportation | 1.50 |
| | Board | \$ |
| | Total | \$ 16.50 |

Received Payment

REGISTERED NURSES' OFFICIAL DIRECTORY

District No. 3

ALABAMA STATE NURSES' ASSOCIATION

2500 Springhill Ave.

Dexter 3739 and Dexter 2143

PRICE SCHEDULE

| General Nursing— | 12 hour | 20 hour |
|--------------------------------------|--|---------|
| Medical and Surgical | \$6 | \$7 |
| Obstetrical | \$7 | \$8 |
| Alcoholics and Drug Addicts | \$8 | \$9 |
| Mental and Reportable Diseases | \$7 | \$8 |
| Assisting at Operation | \$5 | |
| Assisting at Delivery | 1 to 8 hr. service—\$5.00, over 8 to 12 hr. service—\$7.00 | |
| Extra Patient | \$1 | |
| Hourly Nursing | \$2 first hour; 50 cents each additional hour | |
| Eight-Hour Nursing | \$4 | |

GENERAL INFORMATION

For fraction over half day, full daily rate—for half day or less, half daily rate is charged.
When responding to call and informed services not needed, full day is charged, except in case of death of patient.

Cab fare may be charged after 10 P. M.

Nurses on twenty-four hour duty are entitled to four hours' recreation each day.

A nurse on continuous duty twenty-four hours is entitled to charge for two twelve hour periods.

All traveling expenses paid by patient.

Adopted April, 1932

Revised May, 1937

The State of Alabama, Baldwin County

PROBATE COURT

LETTERS OF ADMINISTRATION

On the estate of Louis G. Bertolla, deceased,

are hereby granted to The Merchants National Bank of Mobile, a Corporation

who has duly qualified and given bond as such Administrator, and is authorized to administer such estate.

Witness my hand, and dated this 4th day of March, A.D., 1931 1941.

[Handwritten signature of the Judge of Probate]

Judge of Probate.

THE STATE OF ALABAMA
Baldwin County

PROBATE COURT

ESTATE OF

Louis G Bertolla
Deceased.

The Merchants National
Administrators
Bank of Mobile, Ala
Letters of Administration

Rec'd
Mar 20 1906

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

WAIVER OF NOTICE AND OF RIGHT TO FILE EXCEPTIONS TO
REGISTER'S REPORT

We, the undersigned Helen S. Jacobs, individually and as Guardian of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors; Denny Louis Bertolla and Helen Elizabeth Bertolla, minors, by H. E. Smith as their Guardian Ad Litem and the National Surety Corporation, being all of the parties interested in the reference held before R. S. Duck, as Register of the Circuit Court of Baldwin County, Alabama, in Equity, on October 10, 1945 in connection with the final settlement of this said estate, do each hereby waive notice of the filing of the Register's Report, waive the right to file exceptions or objections thereto and consent and agree that the said Report be presented at once to the Judge of the Circuit Court of Baldwin County, Alabama Sitting in Equity, for final confirmation.

Dated this 15 day of October, 1945.

Helen S. Jacobs
Individually and as Guardian of and for
Denny Louis Bertolla and Helen Elizabeth
Bertolla, minors.

DENNY LOUIS BERTOLLA AND HELEN ELIZABETH
BERTOLLA, Minors

By H. E. Smith
As their Guardian Ad Litem.

NATIONAL SURETY CORPORATION

By E. S. Hamilton
As its Agent.

RECORDED

WAIVER OF NOTICE AND OF RIGHT TO
FILE EXCEPTIONS TO REGISTER'S
REPORT.

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Filed 10-15-

45.

R. Deed-
Register

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

TO W. H. HAWKINS, ESQUIRE:

Take notice that by an Order of the Register of this Court this day made and entered you were appointed to act as Guardian Ad Litem of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age, to represent them and protect their interests in all matters in connection with the Petition for Final Settlement of the said Estate filed in this cause by the Administrator thereof.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 7th day of September, 1945.



Register.

ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

STATE OF ALABAMA
BALDWIN COUNTY

I, hereby accept appointment as Guardian Ad Litem of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age, to represent them and protect their interests upon the hearing of the said Petition for Final Settlement.

I hereby consent and agree that a reference be had on a day to be set by the Judge of this Court and waive notice of the date set for such reference.

For answer to the said Petition I deny each and every allegation contained therein and demand strict proof thereof.

WITNESS my hand this 7th day of September, 1945.



Guardian Ad Litem.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

TO H. E. SMITH, ESQUIRE:

Take notice that by an order of the Register of this Court this day made and entered, you were appointed to act as Guardian Ad Litem of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age, to represent them and protect their interests in all matters in connection with the Petition for Final Settlement of the said estate filed in this cause by the Administrator thereof.

IN WITNESS WHEREOF I have hereunto set my hand on this the 8th day of October, 1945.

R. Duck

Register.

ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

STATE OF ALABAMA
BALDWIN COUNTY

I hereby accept appointment as Guardian Ad Litem of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age, to represent them and protect their interests upon the hearing of the said Petition for Final Settlement.

For answer to the said Petition for Final Settlement I deny each and every allegation contained therein and demand strict proof thereof.

Witness my hand this 10th day of October, 1945.

H. E. Smith

Guardian Ad Litem

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

ORDER APPOINTING GUARDIAN AD LITEM ON PETITION FOR
FINAL SETTLEMENT.

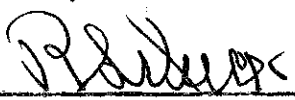
In this cause it being made known to the Register that W. H. Hawkins, the Guardian Ad Litem heretofore appointed and who appeared in this cause to represent Denny Louis Bertolla and Helen Elizabeth Bertolla, minors, interested in this proceeding on final settlement thereof, died after filing his appearance in this cause and that it is therefore necessary that another Guardian Ad Litem be appointed to represent said minors on said final settlement.

It further appearing that H. E. Smith is an attorney at law and solicitor in chancery practicing in Baldwin County, Alabama, not related by blood or marriage to any of the parties interested in this proceeding; that he is not a stockholder of the petitioning corporation, employed by nor interested in it and is deemed by the Register to be in all respects a suitable person to act as such Guardian Ad Litem.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Register that H. E. Smith be, and he is hereby appointed Guardian Ad Litem for the said minors, Denny Louis Bertolla and Helen Elizabeth Bertolla, to represent them and each of them in all matters in connection with the final settlement of the said estate and to protect their respective rights and interests in the said proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Register that the said Guardian Ad Litem be notified of his appointment.

Dated this 8th day of October, 1945.


Register.

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.


ORDER APPOINTING GUARDIAN AD LITEM ON PETITION
FOR FINAL SETTLEMENT.

It appearing from the sworn petition filed by the Merchants National Bank of Mobile, a National Banking Association, as Administrator of the Estate of Louis G. Bertolla, Deceased, for final settlement of the administration of the said estate that it is necessary that a guardian ad litem be appointed to represent Denny Louis Bertolla and Helen Elizabeth Bertolla, minor children of the said decedent, who are each under fourteen years of age. It further appearing that W. H. Hawkins is an attorney at law and solicitor in chancery practicing in Baldwin County, Alabama, and not related by blood or marriage to any of the parties interested in this proceeding that he is not a stockholder of the petitioning corporation, is not employed by or interested in it in any way and is deemed by the Register to be in all respects a fit and suitable person to act as Guardian Ad Litem.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Register that the said W. H. Hawkins, be, and he is hereby appointed Guardian Ad Litem for the said minors, Denny Louis Bertolla and Helen Elizabeth Bertolla to represent them and each of them in all matters in connection with the final settlement of the said estate and to protect their respective rights and interests in the said proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Register that the said Guardian Ad Litem be notified of his appointment.

Dated this 7th day of September, 1945.



Register.

RECORDED

ORDER APPOINTING GUARDIAN AD
LITEM ON PETITION FOR FINAL
SETTLEMENT.

ESTATE OF
LOUIS G. BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

ORDER APPOINTING GUARDIAN AD
LITEM.

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

NOTICE OF APPOINTMENT, ACCEPTANCE
AND ANSWER OF GUARDIAN AD LITEM.

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

Filed October 19,

1945

*Richard
Pest*

RECORDED
RECORDED

NOTICE OF APPOINTMENT OF GUARDIAN
AD LITEM.

ESTATE OF

LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Filed Sept. 7th

1945

R. Beck
Pro

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

REPORT OF REGISTER ON REFERENCE

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

WHEREAS by a Decree of this Court heretofore rendered in this cause dated September 12, 1945, a reference was ordered held by the undersigned Register of the Circuit Court of Baldwin County, Alabama, in Equity, as will appear from the said Decree, to which reference is hereby made as though fully incorporated herein.

NOW THEREFORE, having held a reference for the purpose of ascertaining the matters called for in the said Decree of Reference, I report as follows:

1. That the hearing on the said reference was had in my office at the Court House in Bay Minette, Alabama, at ten o'clock A. M. on Wednesday, October 10, 1945; that due notice of the time and place of holding said reference was accepted by all adult parties interested in the said proceeding or their solicitors of record and also by giving notice of the same by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama once a week for three successive weeks and that at the said hearing there were present the following: J. B. Blackburn, solicitor for the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, H. E. Smith, Guardian Ad Litem of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors, W. C. Beebe, attorney at law, Bay Minette, Alabama, and the undersigned Register.

2. I report that I have examined and audited the accounts of the Petitioner as directed and have also examined and audited their

vouchers and statement of account referred to in the said Petition and Decree and I find each statement of account to be correct and each item thereof properly allowable.

3. The heirs of Louis G. Bertolla, Deceased are properly set forth in a Petition for Final Settlement filed herein on the 7th day of September, 1945 which said heirs are as follows: Helen S. Bertolla Jacobs, the widow, who is over twenty-one years of age; Denny Louis Bertolla, a son, a minor ten years of age and Helen Elizabeth Bertolla, a daughter, a minor four years of age. The said Helen S. Jacobs has been appointed, qualified and is now acting as Guardian of and for the two said minors. The share to which each distributee is entitled on this partial settlement is shown by the re-statement of account hereinafter appearing in this report.

4. I find and report that the sum of \$519.50 is fair compensation to be allowed the Merchants National Bank of Mobile, a Corporation, as Administrator of the said Estate for its trouble, risk and responsibility in and about the administration of the said estate up to and including this final settlement. The said Administrator had on hand at the time the partial settlement was heretofore had in this cause the sum of \$2125.00 which was held as a reserve for taxes, on which commissions on disbursements were not allowed in the said partial settlement. The said Administrator has collected since the said partial settlement heretofore had in this cause, the sum of \$3932.90 in addition to which amount the said Administrator is entitled to commissions on the sum of \$5,394.53 which is the Estate's one-fifth interest in the New York Life Insurance Company policy on the life of Louis G. Bertolla, Deceased. A further calculation of the compensation allowed on receipts and disbursements is as follows: $2\frac{1}{2}\%$ commissions on receipts of \$9,327.43 which is \$233.19 and $2\frac{1}{2}\%$ commissions on disbursements of \$11,452.43 or \$286.31 or a total commission of \$519.50.

5. The total sum of \$250.00 is a reasonable solicitor's fee to be paid to J. B. Blackburn, the solicitor for the said Administrator for the services rendered by him in connection with

the final settlement of this said estate.

6. The court costs incurred in connection with the administration of this Estate which have not been paid amount to the sum of \$79.76 which does not include the fee allowed for the Guardian Ad Litem representing the said minors in this cause. W. H. Hawkins was appointed, accepted appointment and filed an answer as Guardian Ad Litem for the said minors but died prior to the date of the reference that was held in this cause which necessitated appointment of another Guardian Ad Litem, namely, H. E. Smith. The sum of Fifty Dollars (\$50.00) is a reasonable fee to be allowed the said Guardians Ad Litem for the services rendered by them in this cause which should be divided as follows: W. H. Hawkins, \$15.00 and H. E. Smith, \$35.00.

7. I further find and report that the remaining material allegations of the Petition for Final Settlement filed in this cause by the Administrator of the said Estate are true.

8. A re-statement of the Administrator's account is, in the opinion of the Register, necessary and proper, which re-statement is as follows:

| | | |
|--|-------------------------------|------------------|
| Balance on hand at time of this settlement | | \$5824.72 |
| Less deductions which are common charges against all distributees: | | |
| Administrator's commissions | \$519.50 | |
| Solicitor's fees | 250.00 | |
| Court costs | 79.76 | |
| | Total | 849.26 |
| | Balance for distributees | <u>\$4975.46</u> |
| Amount to be paid Helen S. Jacobs on this settlement | \$1658.48 | |
| Amount to be paid Denny Louis Bertolla on this settlement | \$1658.49 | |
| Less $\frac{1}{2}$ of guardian ad litem fee | <u>25.00</u> | |
| Net balance to be paid | | 1633.49 |
| Amount to be paid Helen Elizabeth Bertolla on this settlement | \$1658.49 | |
| Less $\frac{1}{2}$ of guardian ad litem fee | <u>25.00</u> | |
| Net balance to be paid | | 1633.49 |
| | Total payment to distributees | <u>\$4975.46</u> |

9. The amounts due Denny Louis Bertolla and Helen Elizabeth Bertolla, minors, should be paid to Helen S. Jacobs, who has been appointed, qualified and is now acting as their guardian.

All of which is respectfully submitted on this the 10th
day of October, 1945.

A handwritten signature in cursive script, appearing to read "R. Beck", is written above a horizontal line.

Register.

RECORDED

REPORT OF REGISTER ON REFERENCE

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Filed Oct. 10, 1945

*R. Blackburn
Register*

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

that was filed in this cause on May 1st ?

A. Yes.

Q. I will ask you whether or not the allegations contained in that petition are true ?

A. They are true.


MR. BLACKBURN: Mr. Hawkins, do you have any questions you want to ask ?

MR. HAWKINS: No, I think you have covered it very well.

STATE OF ALABAMA,)
)
COUNTY OF MONROE.)

I hereby certify that the foregoing is a true and correct transcript of the testimony of M. B. Slaughter in the cause herein styled, said testimony having been taken at Monroeville, Alabama, on the 7th day of May, 1941, before Hon. F. W. Hare, Judge of the ~~Twenty~~first Judicial Circuit of Alabama.

In Witness Whereof, I have hereunto set my hand, this the 8th day of May, 1941.


Official Court Reporter, 21st.
Judicial Circuit of Ala.

and which are described in the inventory filed in this cause ?

A. I am.

Q. I will ask you to explain to the Court just generally what you know about those stocks, and what you think from your observation should be done with them ?

A. Those stocks generally fall in the two rather broad classifications, that is, on one hand one of them are admittedly speculative. The others are sound investment stocks in that they are issues of corporations which have paid earned dividends over a great number of years. In both instances, however, the market, due to the impact of the international situation, has unduly depressed these stocks as compared with their actual value, or the intrinsic worth of the securities, and we feel that it would be unwise at this time to sell those stocks. When I say we feel, that includes every executive officer of the Merchants National Bank, and we have also consulted with Moody's Investment Service in New York, and Standard statistics, and they are generally of the same opinion.

Q. Then you feel it is to the best interests of this estate to do what with those stocks ?

A. I think the stocks should be held until we can see further ahead.

Q. You have read over and, of course, you signed the petition

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|---------------------|---|---------------------------------|
| ESTATE OF LOUIS G. |) | IN THE CIRCUIT COURT OF BALDWIN |
| BERTOLLA, DECEASED. |) | COUNTY, ALABAMA. |
| |) | In Equity. |

TESTIMONY TAKEN BEFORE HON. F. W.
HARE, JUDGE OF SAID COURT, AT
MONROEVILLE, ON MAY 7th., 1941

A P P E A R N C E S:

HON. J. B. BLACKBURN, ATTORNEY FOR SAID ESTATE,
HON. W. H. HAWKINS, GUARDIAN AD LITEM.

M. B. SLAUGHTER, having been first duly and legally sworn
as a witness in said cause, testified as
follows:

DIRECT EXAMINATION, by Mr. Blackburn:

- Q. Mr. Slaughter, what is your connection with the Merchants National Bank of Mobile ?
- A. I am Vice-President and Trust Officer of the Merchants National Bank.
- Q. Is the Merchants National Bank of Mobile the Administrator of the Estate of Louis G. Bertolla, deceased ?
- A. It is.
- Q. Are you familiar with the stocks in which the decedent, Louis G. Bertolla, was interested at the time of his death,

TESTIMONY OF W. C. BEEBE.

DIRECT EXAMINATION BY MR. J. B. BLACKBURN:

Q. Mr. Beebe, I have shown you my file and the Court file in connection with the Administration of the Estate of Louis G. Bertolla Deceased, which is now being partially settled; I have told you the amount of time involved in handling this estate, including the appointment of the Administrator, the removal of the Estate to the Equity Court, obtaining an Order of the Court Authorizing the holding of \$200,000.00 worth of securities which were listed in the name of Louis G. Bertolla, Deceased, obtaining a Court Order Authorizing a Sale of approximately \$50,000.00 worth of these securities, the time used in attempting to settle the affairs of the Estate with the surviving partners of the firm of A. Bertolla and Sons, together with the time and responsibility in connection with the partial settlement which is now being had; you are familiar with the amounts charged by attorneys for handling assets in Baldwin County, and I would like to have you state what is a reasonable fee for the services rendered by me to the Administrator of this estate up to and including this partial settlement? You have also in this connection read over the testimony of M. B. Slaughter, Vice President and Trust Officer of the Merchants National Bank, which explains in detail the handling of the Estate.

A. My name is W. C. Beebe. I am an attorney practicing in Baldwin County, Alabama and am familiar with the fees charged by attorneys in this county for handling estates. I have examined the files, both the Court file and Mr. Blackburn's office file and note the volume of work indicated thereby. Without taking into consideration any services in connection with the filing and prosecution of the suit for partition of the assets, in my opinion Thirty-five Hundred Dollars (\$3500.00) would be a reasonable attorney's fee for his services to the Administrator up to and through this partial settlement.

CROSS EXAMINATION BY MR. W. H. HAWKINS, GUARDIAN AD LITEM

No question.

TESTIMONY OF JOHN CHASON

DIRECT EXAMINATION BY MR. J. B. BLACKBURN

Q. Mr. Chason, you have examined the Court file and my file and heard my question to Mr. Beebe, what, in your opinion, is a reasonable fee for my services in connection with the handling of all matters in connection with this estate through this partial settlement?

A. My name is John Chason. I am an attorney at law, practicing in Baldwin County, Alabama and am familiar with the fees charged by attorneys in this county for handling estates. In my opinion a fee of three thousand dollars (\$3,000.00) would be a reasonable fee through this partial settlement.

CROSS EXAMINATION BY MR. W. H. HAWKINS, GUARDIAN AD LITEM

No question.

must be held by the Administrator at this time because of which the Administrator is not entitled to commissions thereon. When this amount is deducted from \$94,129.44 it leaves a balance of \$67,156.81 which is the amount of receipts on which the Administrator is entitled to commissions. Two and one-half percent of this amount is \$1678.92. All of the moneys received will be disbursed except \$2125.00 which amount is being retained by the Administrator for the purpose of paying any estate taxes which may be due. After retaining this amount, the total amount which will be disbursed on this settlement will amount to \$65031.81. Two and one-half per cent of this amount is \$1625.80, which is the amount of commissions on the disbursement to which the administrator is entitled. The total commissions on receipts and disbursements amount to \$3304.72. The life insurance proceeds amounting to the sum of \$26,972.63 is being held in a separate account pending the conclusion of litigation already begun.

I have read over the Petition for Partial Settlement filed in this cause, and the statements contained therein are true. The receipts and disbursements shown by the Petition are correct in all respects and all disbursements made were reasonable and proper charges in connection with the administration of the said estate.

During the administration of the estate, there has been paid to the widow of the decedent up to the time of the filing of the Petition for Partial Settlement the total sum of \$4240.07. Part of this sum should be charged against the distributive share of Denny Louis Bertolla, a minor approximately seven years of age, and part of it should be charged against the distributive share of Helen Elizabeth Bertolla, a minor approximately one and one-half years of age, who was born after the death of her father, the late Louis G. Bertolla. The remainder of the said sum should be charged to the widow, Mrs. Helen S. Bertolla Jacobs.

The Administrator offers in evidence the Petition for Partial Settlement and the vouchers covering disbursements shown in the said Petition.

In making the sale of the interest of Louis G. Bertolla, Deceased in the firm of A. Bertolla and Sons, to the surviving partners thereof, the interest of the deceased partner in the real property of the partnership, as shown by the audits which the Administrator had prepared, was valued at approximately \$13,500.00. This was considered as the value of the said real property in the said sale and the widow's dower was allotted to her on this amount of money.

While this figure represented something in excess of the Administrator's opinion as to values, it was insisted upon nevertheless, since Mr. Blackburn's fee in this particular instance had been occasioned through the failure on the part of the surviving partners to make a reasonable offer, which fee in the settlement, was to be paid by the estate. In addition to the other items, the surviving partners agreed to protect the estate and save it harmless from all costs and damages due or to become due in the case of the State of Alabama versus A. Bertolla and Sons, now pending on the law side of the Circuit Court of Baldwin County, Alabama, therefore, the foregoing settlement was arrived at. This however, left the question of the life insurance proceeds to be determined at a later date by litigation.

At the time of assuming our duties as Administrator, we found some two hundred forty odd thousand dollars in securities consisting of stocks, bonds and notes which were largely in the name of Louis G. Bertolla, individually, although the records and audit reports indicated that they were in fact partnership assets. Until a settlement could be reached the Administrator had to take possession of the se stocks and to account for the dividends on the same which ultimately amounted to \$18,983.48. The Administrator, of course, having no power to hold non-legal securities and the fact that the settlement through the negligence of the surviving partners was delayed to the appoint that the Administrator could not avoid the fact that it might be liable for its action in holding these stocks, however, having in mind the interest of all parties concerned, in an effort to be conciliatory and to avoid thereby the occasion for family discension, they were held until we obtained a satisfactory settlement with the surviving partners, at which time all of these securities were turned over to them, together with the cash dividends paid on the same with the exception of some of the stocks which were sold at the written request of the surviving partners, and at the time of the settlement the proceeds of this sale were largely still in the hands of the Administrator although a substantial amount had been paid to the partners. However, one-fifth of this amount that might conceivably belong to the estate was withheld by the Administrator and not disbursed until after the settlement above referred to, under which the administrator received \$66,625.00 in cash plus the homestead, automobile and furnishings, which were conveyed to the widow by the surviving partners and their agreement to indemnify the estate from any loss that might result by reason of that certain case of the State of Alabama against A. Bertolla and Sons pending on the law side of the Circuit Court of Baldwin County, Alabama.

During the time that these securities were being held, the Administrator found it desirable to obtain an order of Court authorizing the continued retention for a reasonable time since the world economic conditions were as they are now outrageously disturbed by reason of the world conflict and its impact on the economic affairs of the Nation.

In the light of the foregoing statements, it becomes patent that the duties of the Administrator were not normal. In fact, the imposition on his time and the responsibility thrust upon him which otherwise need not have existed, made the administration of this estate one of considerable difficulty and presented aspects of considerable greater hazard than might otherwise have obtained.

This is a situation in which the Administrator might well be justified in asking for compensation for extra-ordinary services, however, the Administrator will be content with the allowance of two and one-half percent on receipts and two and one-half per cent on disbursements on this partial settlement. The total cash receipts amounted to \$94,129.44, which included \$26,972.63 in insurance which

TESTIMONY OF M. B. SLAUGHTER

My name is M. B. Slaughter. I am Vice President and Trust Officer of the Merchants National Bank of Mobile, Alabama, a Corporation. This corporation was appointed Administrator of the Estate of Louis G. Bertolla, Deceased, in and by the Probate Court of Baldwin County, Alabama, on March 4, 1941. Shortly thereafter, and on April 22, 1941, the Estate of Louis G. Bertolla was removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, Sitting in Equity.

The administration of this estate was tremendously handicapped by reason of the fact that many of the assets were jointly owned. This administration was further complicated by the very extensive farming operations. Shortly after the close of the season for disposing of the crops, corn and hogs, we endeavored to obtain a settlement with the surviving partners without success. Many conferences were had, both in Mobile and at the offices of A. Bertolla and Sons, in Loxley. At each of these conferences Mr. Blackburn was present and endeavored in every way to compose the differences existing in the minds of the individuals concerned as to the valuations involved as well as the mode and procedure for liquidating the Estate of the deceased partner, whose estate is being administered by the Merchants National Bank. After repeated efforts on our part had met with failure, we found it necessary to file a Bill of Complaint in the Circuit Court of Baldwin County, Alabama, against the surviving partners of the firm of A. Bertolla and Sons, for an accounting and to partition the property of the partnership which was jointly owned by Louis G. Bertolla, the deceased partner, and his four brothers who are the surviving partners in the firm. Before filing this Bill we requested conferences on the part of the partners in our office in Mobile. This request was ignored. Subsequently we made an appointment and went to their office in Loxley explained to them that we had to make a settlement and that before undertaking any steps that would add to the costs or the embarrassment of anyone concerned, it was decided to make a further effort toward compromising any differences that might exist. This meeting resulted in a subsequent offer being made in which the surviving partners offered \$50,000.00 for the interest of Louis G. Bertolla of every nature and character, and provided further that the sum of \$26,972.63, being proceeds of a certain life insurance policy on the life of Louis G. Bertolla, and collected by the Merchants National Bank, as a legal representative of the decedent's estate, be paid over in full to the surviving partners. This offer was declined since it did not represent, in the opinion of the Administrator and its attorney, a fair value.

Following this rejection further efforts were made toward having a conference and these efforts met with no response. Sundry letters were ignored. Finally a conference was obtained in the office of A. Bertolla and Sons, at Loxley. At this time Mr. Blackburn explained that it would be necessary to file our Bill. However, before doing so would give them ten days to obtain counsel or to come forward with a more reasonable offer. While these proposals met a flat rejection, the partners subsequently had Mr. Ernest Corte and Mr. Fred Griffin intervene. These two gentlemen came to Mobile and undertook to offer the sum of \$60,000.00 exclusive of the insurance. While this offer was rejected, a substantial improvement over that previously made by the partners, it still did not, in the opinion of the Administrator, reflect the right values as it left undisposed of the question of the home occupied by Mr. Bertolla, the furnishings, the family automobile, as well as the proceeds from the operations.

Following a further conference in the offices of Mr. Ernest Corte, and on the same day at a later hour in the office of Mr. Fred Griffin, they agreed to the payment of \$66,625.00 in cash and to convey to the widow title to the homestead, automobile and furnishings.

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TESTIMONY OF WITNESSES

Taken before

R. S. DUCK, REGISTER,
on Reference held on
September 22, 1942

ESTATE OF

LOUIS G. BERTOLLA,

Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 716.

IN THE MATTER OF THE
ESTATE OF LOUIS G.
BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

ORDER

The Petition filed by the Administrator of the above named Estate having been set for hearing by consent in Monroeville, Alabama, on May 7, 1941, IT IS ORDERED that the testimony of M. B. Slaughter, a witness for said petitioning Administrator, be taken orally in open Court as provided by Chancery Rule Number 56, that it be taken down as delivered, by M. R. Farish, the Court Reporter, that it be transcribed in typewriting, certified to by him and filed in this cause, the cost of all of which shall be paid as a part of the Court costs in said cause.

Dated this 7th day of May, 1941.


Judge.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

APPRAISEMENT BILL.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

An Appraisement Bill of the Estate of Louis G. Bertolla, Deceased, made in accordance with the annexed warrant is as follows:

BELFOREST FARM

| | |
|---|------------|
| 110 Head of cattle..... | \$ 3300.00 |
| 8 Mules..... | 480.00 |
| 1 Horse..... | 60.00 |
| 16 Hogs..... | 384.00 |
| 59 Hogs..... | 590.00 |
| 1 Ford Coupe..... | 300.00 |
| 1 Pick-up Truck..... | 250.00 |
| 1 Ford Truck..... | 600.00 |
| 1 Chevrolet Truck..... | 325.00 |
| 1 Ford Sedan..... | 400.00 |
| 1-1941 Case Tractor..... | 1000.00 |
| 1-1941 Case Tractor and Cultivator..... | 350.00 |
| 1-2 Row planter..... | 150.00 |
| 1-2 Row digger..... | 150.00 |
| Miscellaneous farm machinery and equipment..... | 925.00 |
| Corn, silage and growing crops..... | 1000.00 |

LOXLEY FARM

| | |
|---|---------|
| 57 Hogs..... | 750.00 |
| 40 Hogs..... | 1000.00 |
| 2 Horses..... | 140.00 |
| 10 Mules..... | 700.00 |
| 140 Head of cattle..... | 4200.00 |
| 1 Ford pick-up truck..... | 550.00 |
| 1 Ford Coupe..... | 300.00 |
| 1 Model H. Farmall Tractor..... | 600.00 |
| 1 Model M Farmall Tractor..... | 800.00 |
| 1 Model F-12 Farmall Tractor..... | 125.00 |
| 1 1939 Model $1\frac{1}{2}$ Ton Truck..... | 325.00 |
| 1 1939 Model $1\frac{1}{2}$ Ton Truck..... | 325.00 |
| Miscellaneous farm machinery and equipment..... | 756.50 |

REAL PROPERTY

| | |
|---|----------|
| Belforest Farm, consisting of $396\frac{1}{2}$ acres..... | 17850.00 |
| Lands leased from Fairhope Single Tax Corporation... | 1500.00 |
| Fairhope cottage..... | 2500.00 |

| | |
|---|-------------|
| Loxley farm and pasture lands..... | \$ 34400.00 |
| 2½ Acres south of Loxley..... | 50.00 |
| Lots in Dinwiddie Addition to Loxley west of Railroad | 2500.00 |
| Post Office Building, Loxley..... | 2000.00 |
| Kidwell place, Loxley..... | 1200.00 |
| Office Building, Loxley (Including fixtures)..... | 2500.00 |
| Real estate (on which Loxley building is situated). | 600.00 |
| Loxley and Robertsdale Shipping Sheds..... | 3000.00 |

EQUIPMENT (PACKING SHEDS)

| | |
|---|---------|
| 1 Paramount Grader..... | 600.00 |
| 4 Baggs graders..... | 250.00 |
| 1 Cucumber grader..... | 1250.00 |
| 12 Platform Scales..... | 150.00 |
| 12 Platform Trucks..... | 80.00 |
| Cotton Gin..... | 4200.00 |
| Bags and containers..... | 2052.00 |
| RESIDENCE - Louis G. Bertolla residence, three lots and cottage..... | 2400.00 |

Total.....\$99,917.50

(The interest of the Estate of Louis G. Bertolla in the property shown above is one-fifth of \$100,717.50 or the sum of.....\$19,983.50

STOCKS

(The following values are not the total values of the said stocks but only represent the one-fifth interest of the Estate of Louis G. Bertolla therein)

| | |
|--|----------|
| 100 Shares Acme Steel Company - capital stock..... | 895.00 |
| 200 Shares American & Foreign Power Co., Inc. - common stock..... | 32.50 |
| 300 Shares American Nat'l Bank & Trust Co.-capital stock | 1,980.00 |
| 100 Shares Anaconda Copper Mining Co. - capital stock.. | 472.50 |
| 200 Shares Armour & Co.(of Ill.) - common stock..... | 182.50 |
| 4 Shares Bank of Fairhope - capital stock..... | 40.00 |
| 100 Shares The Borden Company - capital stock..... | 381.25 |
| 300 Shares Briggs Manufacturing Co. - capital stock.... | 1,278.75 |
| 100 Shares Buffalo, Niagra & Eastern Power Corp.Pf'd stock | 365.00 |
| 2 Shares Central Baldwin Bank, Robertsdale, Ala..... | 56.00 |
| 300 Shares Charis Corporation - Capital stock..... | 318.75 |
| 30 Shares Cities Service Company - common stock..... | 25.50 |
| 300 Commercial Solvents Corp. - common stock..... | 532.50 |
| 200 Commonwealth & Southern Corp. - common stock..... | 42.50 |
| 500 Shares Electric Bond & Share Co. - common stock.... | 318.75 |
| 100 Shares Electric Power & Light Corp. \$6 Pf'd. stock. | 502.50 |
| 300 Shares Gillette Safety Razor Co. - common stock.... | 195.00 |

| | |
|--|-------------|
| 200 Shares Gillette Safety Razor Co. - \$5 Div. Contv. Pf'd. Stock..... | \$ 1,420.00 |
| 200 Shares Gold Dust Corp. - comm. Stock Trust..... | 267.50 |
| 200 Shares Hecker Products Corp. - Common Stock..... | 267.50 |
| 600 Shares Illinois Central Railroad Co. Common Stock... | 802.50 |
| 100 Kroger Grocery & Banking Co. Common Stock..... | 520.00 |
| 500 Shares Lambert Company - Common Stock..... | 1,212.50 |
| 200 Shares Lehn & Fink Products Corp. - Common Stock.... | 480.00 |
| 100 Shares Libby-Owens-Ford Glass Co. - Common Stock.... | 705.00 |
| 150 Shares Merchants Nat'l Bank of Mobile -Capital Stock | 1,830.00 |
| 100 Shares Midland Steel Products Co. - Common Stock.... | 640.00 |
| 300 Shares Nash-Kelvinator Corp. -Capital Stock..... | 251.25 |
| 200 Shares National Biscuit Co. -Common Stock..... | 695.00 |
| 200 Shares National Dairy Products Corp. - Common stock. | 530.00 |
| 100 Shares National Distillers Products Corp. -Common stock..... | 440.00 |
| 100 Shares National Power & Light Co. - Common stock.... | 123.75 |
| 400 Shares New York Central Railroad Co. -Capital Stock. | 1,010.00 |
| 100 Shares Newport Industries, Inc., - Capital Stock.... | 132.50 |
| 2910 No. Amer. Trust Shares 1955 Bearer Certif..... | 1,338.60 |
| 100 Shares Otis Steel Company - Common Stock..... | 162.50 |
| 100 Shares Paramount Pictures, Inc. - Common Stock..... | 213.75 |
| 200 Shares Parker Rust Proof Co. - Common Stock..... | 700.00 |
| 100 Shares Pennsylvania Railroad Co. - Capital Stock.... | 470.00 |
| 200 Shares Daniel Reeves, Inc. - Common Stock..... | 177.50 |
| 300 Shares Remington Rand, Inc. - Common Stock..... | 735.00 |
| 500 Shares Republic Steel Corp. - Common Stock..... | 1,862.50 |
| 500 Shares Schenley Distillers Corp. - Common Stock..... | 937.50 |
| 1062 Selected American Shares, Inc. - Capital Stock.... | 1,669.46 |
| 400 Shares Standard Brands, Inc. - Common Stock..... | 495.00 |
| 100 Shares Studebaker Corporation - Common Stock..... | 127.50 |
| 100 Shares Sunshine Mining Co. - Capital Stock..... | 177.50 |
| 100 Shares Swift & Company - Capital Stock..... | 457.50 |
| 200 Shares Twentieth Century-Fox Film Corp.-Common stock | 240.00 |
| 200 Shares United Gas Corporation - Common Stock..... | 27.50 |
| 500 Shares United Gas Improvement Co. - Common Stock.... | 818.75 |
| 100 Shares United States Steel Corp. - Common Stock..... | 1,153.75 |
| 400 Shares Wesson Oil & Snowdrift, Inc., - Common Stock. | 1,460.00 |
| 300 Shares Western Union Telegraph Co., - Capital stock. | 1,211.25 |
| 100 Shares Wilson & Company, Inc. - Common Stock..... | 92.50 |
| 100 Shares Youngstown Sheet & Tube Co. - Common Stock... | 688.75 |
| Total stocks..... | \$34,163.31 |

BONDS

(The following values are not the total values of the said bonds but only represent the one-fifth interest of the Estate of Louis G. Bertolla therein)

| | |
|--|-------------|
| \$6,250.00 Mobile Gas Service Corp. - 1st Mtge. 5% Bonds Series due 1956..... | 1,246.88 |
| \$6,000.00 Mobile Gas Service Corp. - 1st Mtge. Income Bonds Series A due Oct. 1, 1956..... | 1,308.00 |
| \$250.00 Mobile Gas Service Corp. - 1st Mtge. Income Bonds Series B due Oct. 1, 1956..... | 50.00 |
| Total bonds..... | \$ 2,604.88 |

CASH

| | |
|--|--------------|
| Cash of Decedent at time of death..... | 496.69 |
| Proceeds from life insurance..... | \$ 26,972.63 |

RECAPITULATION

| | |
|--|-------------|
| One-fifth interest in property in hands of surviving partners..... | \$19,983.50 |
| One-fifth interest in stocks..... | 34,163.31 |
| One-fifth interest in bonds..... | 2,604.88 |
| Cash..... | 496.69 |
| Proceeds from life insurance..... | 26,972.63 |
| | <hr/> |
| Total..... | \$84,221.01 |

The homestead of the decedent, consisting of one house and three lots in the Town of Loxley, Alabama, being otherwise described as follows, to-wit: Lots 1, 2 and 3 in Block 2 of the "Highways" an addition to Loxley, Alabama, being a subdivision of the South Half of Southeast Quarter of Section 10, Township 5 South Range 3 East, as shown by plat of record; was valued by us at \$2400.00, and for this reason was not set aside by us as an exempt homestead to the widow of the said decedent and to his two minor children.

No effort was made by the undersigned appraisers to set aside personal property exemptions to the widow and minor children of the said decedent because the estate is solvent and we were informed that the personal property would descend to the widow and minor children in fee simple under the laws of descent and distribution of the State of Alabama in the same proportion as exempt personal property would vest in them. This inventory was completed by the undersigned appraisers on October 2, 1941.

Clayton Baldwin

W A Glover

STATE OF ALABAMA

BALDWIN COUNTY

We, the undersigned Clayton Baldwin and W. A. Glover

duly appointed as appraisers to appraise the property of the estate of Louis G. Bertolla, Deceased, after being first duly and legally sworn, depose and say: That the foregoing Bill of Appraisement is a true, correct, impartial and unprejudiced appraisement of the property of the said decedent; that we have personally examined the property as described in the foregoing appraisement bill and appraised the same according to our best skill and judgment at its true value and have placed such values as above recited.

Clayton Baldwin

W A Gloran

Sworn to and subscribed before me
on this the 11th day of October, 1941.

J. T. T. Blackburn

Notary Public, Baldwin County, Alabama.

ESTATE OF

LOUIS G. BERTOLLA,
Deceased.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

ORDER APPOINTING ADMINISTRATOR.

Comes The Merchants National Bank of Mobile, a national banking corporation, and files in Court its application in writing, under oath, praying the Court to appoint it as Administrator of the Estate of Louis G. Bertolla, also known as Louis George Bertolla, Deceased, which said application is as follows:

"APPLICATION FOR LETTERS OF ADMINISTRATION.

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE G. W. ROBERTSON, JUDGE OF THE SAID COURT:

Your Petitioner, The Merchants National Bank of Mobile, a national banking corporation, respectfully represents unto the Court and your Honor as follows:

1. That Louis G. Bertolla, also known as Louis George Bertolla, a resident of Baldwin County, Alabama, who owned property situated therein, departed this life intestate on February 24, 1941.
2. The heirs and all of the heirs of the said Louis G. Bertolla at the time of his death were as follows: Helen Elizabeth Bertolla, the widow, who is over twenty-one years of age and of sound mind, and a resident of Loxley, in Baldwin County, Alabama; and Denny Louis Bertolla, a son six years of age, who resides with his mother, Helen Elizabeth Bertolla, at Loxley, in Baldwin County, Alabama. A posthumous child will be born to the said Louis G. Bertolla and Helen Elizabeth Bertolla within approximately sixty days from this date, which child will also be entitled to share in the property and assets of the said estate as provided by the laws of descent and distribution of the State of Alabama.
3. The estimated value of the personal property owned by the said decedent at the time of his death is the sum of Sixty-seven Thousand One Hundred Dollars (\$67,100.00), and the estimated annual rental value of the real property belonging to the said decedent at the time of his death is the sum of Five Hundred Eighty Dollars (\$580.00).
4. The said decedent, at the time of his death, held title to certain real and personal property which had been paid for with partnership funds belonging to the firm of A. Bertolla and Sons, the title thereto being taken in his own name for convenience. In estimating the value of the personal property actually owned by the said decedent at the time of his death, and in estimating the annual rental value of the real estate actually owned by the said decedent at the time of his death to enable the Court to properly arrive at the amount of the bond to be given by the Administrator of the said estate, and for this purpose only, Petitioner did not include the total value of all of the said property in its estimate. The estimate, in so far as it relates to the said property is one-fifth thereof because of the fact that there were five partners in the said firm during the life of the said decedent.
5. Those having a prior right to be appointed as Administrator of the said estate have, by written instrument hereto attached, renounced such right and requested Petitioner's appointment.

WHEREFORE, Petitioner prays that Letters of Administration on the said estate be granted to it upon its giving bond with

requisite security. Petitioner further prays that such other orders may be made and decrees rendered as may be requisite and proper in the premises.

THE MERCHANTS NATIONAL BANK OF MOBILE,
a national banking corporation,

By M. B. Slaughter
As its Vice President and Trust Officer.

STATE OF ALABAMA |
BALDWIN COUNTY |

Before me, the undersigned authority within and for said County in said State, personally appeared M. B. Slaughter, who, after being by me first duly and legally sworn, deposes and says: That he is Vice President and Trust Officer of The Merchants National Bank of Mobile, a national banking corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said corporation; that he has read over the foregoing Petition and is informed and believes, and on such information and belief states the fact to be, that the allegations contained therein are true.

M. B. Slaughter

Sworn to and subscribed before me
on this the 3rd day of March, 1941.

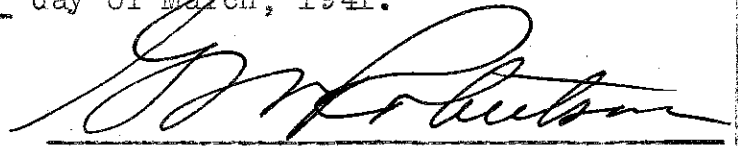
Mary Jo Hildreth
Notary Public, Mobile County, Alabama."
Seal.

And it appearing to the Court that the allegations of the said application are true; that those having a prior right to be appointed as such Administrator have waived their right to be appointed as such and have requested the appointment of the said Petitioner; that the said Petitioner is a corporation duly authorized to act as such Administrator; that the said decedent was a resident of Baldwin County, Alabama at the time of his death; that the said decedent died intestate leaving personal property in the said county valued at Sixty-seven Thousand One Hundred Dollars (\$67,100.00) and not probably more, and real estate having an annual rental value of Five Hundred Eighty Dollars (\$580.00) and not probably more; that more than five days have elapsed since the death of the said intestate:

IT IS THEREFORE Ordered, Adjudged and Decreed by the Court that the said The Merchants National Bank of Mobile, a national banking corporation be, and it is hereby appointed Administrator of the Estate of Louis G. Bertolla, also known as Louis George Bertolla, upon its entering into bond with sufficient surety payable to and to be approved by the Judge of Probate of Baldwin County, Alabama, in the penal sum of One Hundred Thirty-

eight Thousand Dollars (\$138,000.00) and conditioned to perform all of the duties which are or may be required of it as such Administrator.

Dated this 4th day of March, 1941.

A handwritten signature in cursive script, appearing to read "G. W. Robertson", written over a horizontal line.

Probate Judge.

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

DECREE SETTING DAY FOR HEARING PETITION FOR FINAL
SETTLEMENT.

This cause coming on to be heard on this date is submitted on the Petition of the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, the accounts and vouchers of such Administrator for a final settlement of its administration of said estate. It appearing to the Court that W. H. Hawkins, Esquire, Attorney at Law and solicitor in chancery has been appointed by this Court as Guardian Ad Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors, heirs of the said Decedent. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said Petition, statement of accounts and vouchers filed in this cause on the 7th day of September, 1945 by the said Administrator be, and they are hereby referred to the Register of this court to hold a reference, the time of which he shall give ten days notice to Helen S. Jacobs, the widow of the said Decedent, to Helen S. Jacobs, as Guardian of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors, the National Surety Company, a Corporation, the surety on the Administrator's bond filed in this cause and also by giving notice of the same by publishing once a week for three successive weeks in the Baldwin Times, newspaper published at Bay Minette, in Baldwin County, Alabama, at which reference he shall:

1. Examine and audit the accounts of Petitioner and the vouchers filed by Petitioner with its statement of accounts as aforesaid and summon witnesses if need be and hear testimony and ascertain and report to the Court his conclusions upon the correctness of each statement of account, and in case he shall not allow any item or items as charged by the said Administrator he shall

report with his conclusions the testimony taken upon such item.

2. He shall hear testimony, ascertain and report to the Court whether the heirs of Louis G. Bertolla, Deceased, are properly set forth in the said Petition for Final Settlement filed herein on the 7th day of September, 1945 and if not, who are the heirs of the said Decedent or their representatives and what are the proportions in which they are entitled to share in the said Estate.

3. He shall hear testimony, ascertain and report to the Court what is fair compensation to be allowed the Petitioner as such Administrator for its trouble, risk and responsibility in and about the administration of the Estate.

4. He shall hear testimony, ascertain and report to the Court what is a reasonable solicitor's fee for Administrator's solicitor of record for services rendered by said solicitor up to and including final settlement.

5. He shall hear testimony, ascertain and report to the Court what is a reasonable fee for W. H. Hawkins, Guardian Ad Litem for said minors/services rendered by him in this settlement.

6. He shall hear testimony, ascertain and report to the Court whether the remaining averments of the said Petition are true.

7. He shall hear testimony, ascertain and report to the Court what are the court costs incurred in the administration of this estate which remain unpaid.

8. All other matters are reserved by the Court for further action in the said cause.

ORDERED, ADJUDGED AND DECREED this 12th day of September, 1945.

A. W. Stare

Judge.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

ACCEPTANCE OF SERVICE AND WAIVER OF NOTICE

The undersigned, Helen S. Jacobs, individually and as Guardian of and for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors, hereby accepts service of notice of the date set for final settlement of the Estate of Louis G. Bertolla, Deceased, and consents and agrees that the said estate be finally settled without notice to her, all of which is hereby expressly waived.

Dated this 10th day of October, 1945.

Helen S. Jacobs

Individually and as Guardian of Denny
Louis Bertolla and Helen Elizabeth
Bertolla, Minors.

ORDER APPOINTING ADMINISTRATOR.

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

*Filed in office of
Judge of Probate
Court, Baldwin Co
Ala. Mar 4, 1941
G. R. Robertson
Judge Probate
by S. K. K... of*

RECORDED

~~RECORDED~~
DECREE SETTING DAY FOR HEARING
PETITION FOR FINAL SETTLEMENT

ESTATE OF
LOUIS G. BERTOLLA, Deceased.

RECORDED
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Filed Sept 13-1945
Roberts
By

ACCEPTANCE OF SERVICE AND
WAIVER OF NOTICE.

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

*Filed with
10th, 1942
R. Reed
Clerk*

ADMINISTRATOR'S BOND.

STATE OF ALABAMA }
 } }
BALDWIN COUNTY }

KNOW ALL MEN BY THESE PRESENTS: That we, The Merchants National Bank of Mobile, a national banking corporation, as Principal, and the National Surety Corporation, a Corporation, as Surety, are held and firmly bound unto G. W. Robertson, Judge of the Probate Court of Baldwin County, Alabama, and his successors in office, in the penal sum of One Hundred Thirty-eight Thousand Dollars (\$138,000.00) for the payment of which well and truly to be made, the Principal and Surety bind themselves, their successors and assigns, jointly and severally, firmly by these presents.

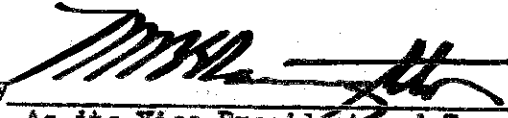
Sealed with our seals and dated this 4th day of March, 1941.

The condition of the above obligation is such that whereas, the above bound The Merchants National Bank of Mobile, a national banking corporation, was appointed Administrator of the Estate of Louis G. Bertolla, also known as Louis George Bertolla, on the 4th day of March, 1941. Now, if the Merchants National Bank of Mobile, a national banking corporation, shall well and truly perform all duties which are or may be required of it as such Administrator, then this obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF The Merchants National Bank of Mobile, a national banking corporation, has caused its corporate seal to be hereto affixed and this instrument to be executed by M. B. Slaughter, as its Vice President and Trust Officer, and the National Surety Corporation, a corporation, has caused its corporate seal to be hereto affixed and this instrument to be executed for it by B. F. Adams, as its Resident Vice President

and attested by E. F. Adams, Jr., as its Resident Assistant Secretary.

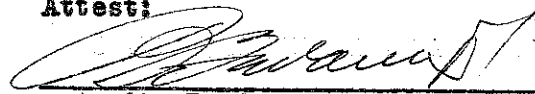
THE MERCHANTS NATIONAL BANK OF MOBILE,
a national banking corporation (SEAL)

By 
As its Vice President and Trust Officer

NATIONAL SURETY CORPORATION,
a Corporation (SEAL)

By 
As its Resident Vice President

Attest:


As its Resident Assistant Secretary

Taken and approved this 4th day
of March, 1941.


Judge of Probate, Baldwin County,
Alabama.

MERCHANTS NATIONAL BANK OF
MOBILE, As Administrator of
the Estate of Louis G.
Bertolla, et al.,

Complainants,

VS.

ALEX S. BERTOLIA, ET AL.,

Respondents.

IN THE
CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA. IN EQUITY.
NO. 805.

This cause coming on to be heard is submitted for decree on the application of Complainants for a re-hearing and upon consideration thereof, I am of the opinion that the same should be denied -

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that said application for rehearing be and the same hereby is overruled and denied.

This 12th day of January, 1943.



JUDGE

RECORDED
DECREE OVERRULING APPLICATION
FOR RE-HEARING.

MERCHANTS NATIONAL BANK OF MOBILE
As Administrator of the Estate of
Louis G. Bertolla, Deceased, et als

Complainants,

VS.

ALEX S. BERTOLLA, et als,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 805.

IN THE MATTER OF
THE ESTATE OF LOUIS
G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

DECREE

This cause coming on to be heard on this date is submitted on the Petition, Accounts and Vouchers of the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, for a partial settlement of its administration of the said estate; it appearing to the Court that W. H. Hawkins, Esquire, an Attorney at Law and Solicitor in Chancery has already been appointed by the Register of this Court as guardian ad litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, minor heirs of the said decedent, IT IS THEREFORE Ordered, Adjudged and Decreed that the said Petition, Statement of Account and Vouchers filed in this cause on the 21st day of August, 1942, by the said Administrator be, and they are hereby referred to the Register of this Court, to hold a reference, the time of which he shall give ten days notice to Helen Elizabeth Bertolla Jacobs, the widow of the said Decedent, and the National Surety Corporation, the surety on the Administrator's bond filed by it in this cause and also by giving notice of the same by publication in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, for three successive weeks and at said reference he shall:

1. Examine and audit the accounts of Petitioner and the vouchers filed by Petitioner with its statement of accounts as aforesaid, and summon witnesses, if need be, and hear testimony and ascertain and report to the Court his conclusions upon the correctness of each statement of accounts; and in case he shall not allow any item or items as charged by said Administrator, he shall report with his conclusions, the testimony he may have taken upon such item.

2. He shall hear testimony, ascertain and report to the Court whether the heirs of Louis G. Bertolla, Deceased, are properly set forth in the said Petition filed herein on the 21st day of August, 1942, and if not, who are the heirs of the said decedent or

their representatives and what are the proportions in which they are entitled to share in the said estate.

3. He shall hear testimony, ascertain and report to the Court what is fair compensation to be allowed the Petitioner as such Administrator for its trouble, risk and responsibility in and about the administration of the estate up to this time.

4. He shall hear testimony, ascertain and report to the Court what is a reasonable solicitor's fee for Administrator's Solicitor of Record for services rendered by said Solicitor to the said Administrator up to and including such settlement.


5. He shall hear testimony, ascertain and report to the Court what is a reasonable fee for W. H. Hawkins, Guardian Ad Litem for the said minors for services rendered by him up to and including this settlement.

6. He shall hear testimony, ascertain and report to the Court whether the remaining averments of the said Petition are true.

7. He shall hear testimony, ascertain and report to the Court what are the Court costs incurred in the administration of this estate and which remain unpaid.

8. All other matters are reserved by the Court for further action in the said cause.

Ordered, Adjudged and Decreed this 22nd day of August, 1942.



Judge.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

NOTE OF TESTIMONY

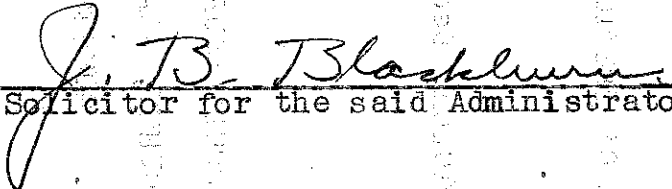
This cause is submitted on behalf of Petitioner, The Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, upon the following:

1. Sworn Petition for Decree Reducing Amount of Bond.
2. Acceptance of Service and Waiver of Notice of Helen S. Jacobs, individually and as Guardian of Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors, which is attached to the said Petition.
3. Appointment, Acceptance and Answer of Guardian Ad Litem.

Dated this 21st day of February, 1945.



Register.



Solicitor for the said Administrator.

IN THE MATTER OF THE
ESTATE OF LOUIS G.
BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

TO THE HONORABLE F. W. HARR, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, SITTING IN EQUITY:

Now comes the Merchants National Bank of Mobile,
a Corporation, as Administrator of the Estate of Louis G. Bertolla,
Deceased, by its solicitor of record, and respectfully represents
unto the Court and your Honor as follows:

1. That said Administrator filed a Petition in this
cause on May 1, 1941, requesting certain instructions from the
Court which it desires to have heard with all convenient dispatch.

2. That the heirs and distributees entitled to share
in the assets of the said estate are Helen Elizabeth Bertolla, the
widow, who has by indorsement on the above described Petition, con-
sented that a decree be rendered in accordance with the prayer of
the said Petition, and two minor children, namely: Denny Louis
Bertolla and Helen Elizabeth Bertolla, being the son and daughter
of the said decedent who are each minors under fourteen years of
age, who are represented in this proceeding by W. H. Hawkins, as
their Guardian Ad Litem, which said Guardian Ad Litem has, by indorse-
ment attached to this Motion, consented and agreed that the said
Petition be set for hearing in Monroeville, Alabama, or any other
place selected by the Court on any date that is convenient to the
Court:

WHEREFORE the said Administrator moves the Court to
set the said Petition for hearing at Monroeville, Alabama, or such
other place as may be selected by the Court as soon as possible.

Respectfully submitted,

MERCHANTS NATIONAL BANK OF MOBILE,
a Corporation,

By J. T. Blackburn
As its Solicitor of Record.

I, the undersigned W. H. Hawkins, as Guardian Ad
Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors


under fourteen years of age, do hereby consent and agree that the Petition described in the above Motion be set down for hearing and heard in Monroeville, Alabama, or any other place selected by the Court on any date which the Court may appoint.

Dated this 1st day of May, 1941.



As Guardian Ad Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla.

I, the undersigned, Helen Elizabeth Bertolla, the widow of Louis G. Bertolla, Deceased, do hereby consent and agree that the Petition described in the above and foregoing Motion, be set down for hearing in Monroeville, Alabama, or any other place selected by the Court on any date which the Court may appoint.



IN THE MATTER OF THE
ESTATE OF LOUIS G.
BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

ORDER.

The foregoing Motion having been presented to me on this date, IT IS ORDERED, ADJUDGED AND DECREED by the Court that the said cause be and same is hereby set for hearing at Sparrsville, at 4 o'clock P. M., on the 14 day of May, 1941.

Dated this 1st day of May, 1941.

J. W. Hare
Judge.

JAMES H. FAULKNER

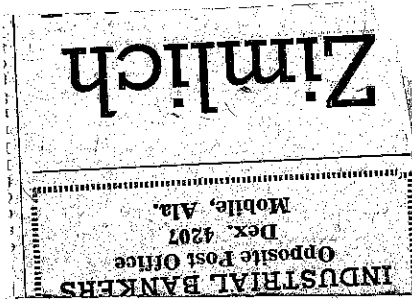
EDITOR AND PUBLISHER

The BALDWIN Times

ALABAMA'S BEST COUNTY'S-

BEST NEWSPAPER

BAY MINETTE, ALABAMA



AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Estate of Louis S. Bertolla, Dec -

COST STATEMENT

164 WORDS @ 3 1/2 cents \$ 5 74

I hereby certify this is correct, due and unpaid (~~paid~~).

J. H. Faulkner
Publisher.

Was published in said newspaper for 3 consecutive weeks in the following issues:

Date of 1st publication August 27, 1942 Vol. 53 No. 30

Date of 2nd publication Sept 3, 1942 Vol. 53 No. 31

Date of 3rd publication " 10, 1942 Vol. 53 No. 32

Date of 4th publication _____, 1942 Vol. _____ No. _____

Subscribed and sworn before the undersigned this 18 day of Sept 1942

Erma Hamblin
Notary Public, Baldwin County.

J. H. Faulkner
Publisher.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Now comes the National Surety Corporation and hereby accepts service and waives notice of the hearing on the Petition for Final Settlement of the Estate of Louis G. Bertolla, Deceased and the reference on the said Petition and consents and agrees that the said settlement be had without notice to it which is hereby expressly waived.

Dated this 10th day of October, 1945.

National Surety Corporation

By 
As its Agent.

ESTATE OF

LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

TO MESSRS. F. C. GRIFFIN, CLAYTON BALDWIN AND W. A. GLOVER:

You, and each of you are hereby notified that in and by a Decree rendered by the Circuit Court of Baldwin County, Alabama, Sitting in Equity, in this cause dated August 4, 1941, you were appointed appraisers of the real and personal estate of Louis G. Bertolla, Deceased. This warrant is, therefore, to authorize and require you, or any two of you, to appraise the said estate, and to reduce said appraisement to writing, and to return the same to the said Court, duly subscribed and sworn to by you, within sixty days from the date aforesaid.

You shall also appraise and set aside to said Helena Elizabeth Bertolla, the widow, Denny Louis Bertolla and Helen Elizabeth Bertolla, the minor children of the said decedent, the homestead of the decedent, occupied by him at the time of his death, or to which he was entitled, not to exceed in value two thousand dollars, and in area one hundred and sixty acres, with a full and accurate description of the same. That the wearing apparel of said decedent, widow and minor children, all yarn and cloth on hand intended for their use and consumption, all books kept for the use of the family, all family portraits and pictures, all grain, stores, and groceries on hand necessary for the support of the family for twelve months after decedent's death, all bedding, household and kitchen furniture necessary for the use and comfort of the family (to be selected by the widow), and personal property belonging to said decedent at the time of his death to the amount of one thousand dollars in value shall be exempt from administration and the payment of debts to said widow and minor children; that the same shall be appraised and valued by you as other property of said estate.

Dated this 30th day of August, 1941.

R. S. Smith

Register of the Circuit Court of Baldwin
County, Alabama.

IN THE MATTER OF
THE ESTATE OF LOUIS
G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM.

TO W. H. HAWKINS, ESQUIRE:

Take notice that by an order of the Register of this Court this day made and entered, you were appointed to act as Guardian Ad litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age, the minor heirs of Louis G. Bertolla, Deceased, to represent and protect their interest in all matters in connection with the Petition for Partial Settlement filed in this said cause by the Administrator on August 21, 1942.

Given under my hand this 21st day of August, 1942.



Register.

ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

I hereby accept the appointment as Guardian Ad Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, minors under fourteen years of age, the minor heirs of Louis G. Bertolla, Deceased, to represent them and to protect their interests upon the hearing of the Petition filed by the Administrator of the said Estate in this cause on this date for a Partial Settlement of its administration of the said Estate, and for Answer to the said Petition and to each and every allegation contained therein, I hereby deny each and every allegation contained in the said Petition and demand strict proof thereof.

Witness my hand this 21st day of August, 1942.



As Guardian Ad Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors.

CLAIM OF A. BERTOLLA & SONS

AGAINST ESTATE OF LOUIS G. BERTOLLA, DECEASED.

To divers claims filed with the firm of A. Bertolla
& Sons against Estate of Louis G.
Bertolla, Deceased and paid by said
firm.

| | |
|--------------------------------|-----------|
| Griffin Motor Company----- | \$ 24.68 |
| Rev. J.J.Loftus ----- | \$ 25.00 |
| Ethridge Powell----- | \$ 25.00 |
| Dolive Meat Market----- | \$ 14.91 |
| A.E.Brannon, Nurse----- | \$ 27.65 |
| Riveria Utilities Corp----- | \$ 7.89 |
| Cash to Mrs. L.G.Bertolla----- | \$ 45.00 |
| Federal Income Tax, 1940----- | \$ 249.16 |
| State Income Tax, 1940----- | \$ 45.72 |
| John Larson, Lillian, Ala----- | \$ 18.00 |
| Mrs Shuttle----- | \$ 3.71 |

Total----- \$486.72

A. BERTOLLA & SONS

By Viola Bertolla

Mgr.

State of Alabama, |
County of Baldwin. |

Personally appeared before me the undersigned authority,
Viola Bertolla, Manager of the firm of A. Bertolla & Sons and
upon oath states that she is the manager of the firm of A. Ber-
tolla & Sons, and that the account against the said estate of
Louis G. Bertolla, Deceased of \$486.72 paid to the above named
claimants, is just, true and correct, after all credits and
counterbalances have been allowed.

A. BERTOLLA & SONS,

By Viola Bertolla

Manager.

Sworn to and subscribed before me this the 3rd day of September,
A.D. , 1941.

J. W. Robertson

Judge of Probate.

Mobile, Alabama,

June , 1941.

Probate Judge of Baldwin County,
Bay Minette, Alabama.

Dear Sir:

Having received satisfaction in full of my claim in
the amount of \$78.00 filed by me against the Estate of
Louis G. Bertolla, deceased, you are hereby authorized and
directed to cancel this claim on the Probate Records of
Baldwin County.

Audie Smith R.N.
Audie Smith, R. N.

The Merchants National Bank of Mobile

ERNEST F. LADD, PRESIDENT



TRUST DEPARTMENT
M.B. SLAUGHTER, VICE PRES. & TRUST OFFICER
GUY FAULK, JR., ASST. TRUST OFFICER

IN REPLY PLEASE REFER TO

Mobile, Alabama

June 24, 1941

Judge of Probate,
Baldwin County,
Bay Minette, Ala.

Dear Sir:

The claim of Audie Smith, R. N., filed against the Estate of Louis G. Bertolla having been paid by the Merchants National Bank of Mobile, Administrator of this estate, we enclose a letter addressed to you authorizing and directing you to cancel this claim in the amount of \$78.00 on the Probate Records of Baldwin County.

Your assistance in effecting this cancellation will be very much appreciated.

Yours very truly,

Vice President and Trust Officer.

MBS:jh


IN THE MATTER OF THE
ESTATE OF LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

A Petition and Statement for a Partial Settlement by the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, has been filed in this Court:

Notice is hereby given that pursuant to a Decree of this Court rendered in this cause, I will, at ten o'clock A. M. on the 22nd day of September, 1942, hold a reference at my office in the Court House of Baldwin County, at Bay Minette, Alabama, for the purpose of examining and auditing said account and considering all other matters in connection therewith, at which time and place all parties interested may appear and contest the same if they think proper.

Witness my hand this 24th day of August, 1942.



Register of the Circuit Court of
Baldwin County, Alabama, in Equity.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

ORDER APPROVING BOND.

Comes The Merchants National Bank of Mobile, a national banking corporation, and files in Court its bond as the Administrator of the Estate of Louis G. Bertolla, also known as Louis George Bertolla, Deceased, payable and conditioned as prescribed by law, in the sum of One Hundred Thirty-eight Thousand Dollars (\$138,000.00); and

It appearing to the satisfaction of the Court that the said bond is in the amount prescribed by the Court; that it is conditioned as prescribed by law, and that the surety thereon is sufficient:

IT IS THEREFORE Ordered, Adjudged and Decreed by the Court that the said bond be and the same is hereby in all respects approved and that Letters of Administration upon the estate of Louis G. Bertolla, also known as Louis George Bertolla, Deceased, issue to The Merchants National Bank of Mobile, a Corporation. It is further ordered that the said bond be recorded.

Dated this 4th day of March, 1941.


Probate Judge.

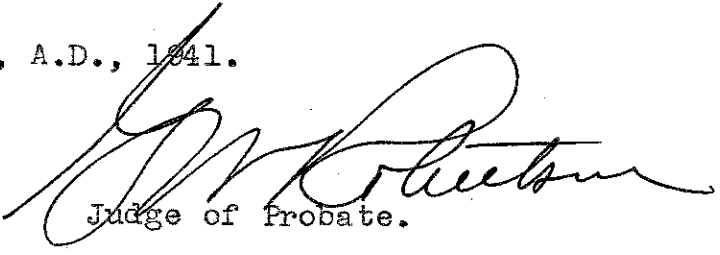
LOUIS G. BERTOLLA, DECEASED

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

IN THE MATTER OF THE REMOVAL OF PROCEEDINGS FROM PROBATE
COURT OF BALDWIN COUNTY TO CIRCUIT COURT, EQUITY SIDE.

In compliance with order of transfer of Circuit Judge of
Baldwin County, Alabama, Equity Division, I, G.W. Robertson, as
Judge of the Probate Court of Baldwin County, Alabama, hereby
transfer all papers in the File #1814, Estate of Louis G. Ber-
tolla, Deceased to the Circuit Court of Baldwin County, Ala-
bama, Equity Division, number of Documents in file, consisting
of Petitioner, Orders, Decrees, accounts, etc., when trans-
ferred, 14.

Done this 28th day of April, A.D., 1941.


Judge of Probate.

RECORDED

ACCEPTANCE OF SERVICE AND
WAIVER OF NOTICE

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed October
10th, 1945
R. Luck
Register

RECORDED

NOTICE TO APPRAISERS.

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

NOTICE OF APPOINTMENT, ACCEPT-
ANCE AND ANSWER OF GUARDIAN AD
LITEM.

IN THE MATTER OF
THE ESTATE OF LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Claim of A
Bullitt & Sons
against Est
Linn & Bullitt

1842

John Bullitt
Judge of the Court
Linn & Bullitt
Sept 3 1842

Wm Bullitt
Judge of the Court
Sept 3 1842

NOTICE OF REFERENCE

IN THE MATTER OF

THE ESTATE OF LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 716.

ORDER APPROVING BOND.

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

11-11
Prothon L. G.
Page 484.

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA.

Filed in office of
Judge of Probate Court,
Baldwin County, Ala.
Nov 4, 1941
J. Robertson
Register, Ala.

Mobile, Alabama,

May , 1941.

Probate Judge of Baldwin County,
Bay Minette, Alabama.

Dear Sir:

Having received satisfaction in full of our claim
in the amount of \$638.15 filed by Higgins Mortuary, Inc., of
Mobile, Alabama, against the Estate of Louis G. Bertolla, deceased,
you are hereby authorized and directed to cancel this claim on the
Probate Records of Baldwin County.

Higgins Mortuary, Inc.,

By W. M. Jones
Pres.

Loxley, Alabama,

May 15, 1941.

Probate Judge of Baldwin County,
Bay Minette, Alabama.

Dear Sir:

Having received satisfaction in full of our claim
in the amount of \$10.95 filed by Jacobs Department Store of
Loxley, Alabama, against the Estate of Louis G. Bertolla,
deceased, you are hereby authorized and directed to cancel this
claim on the Probate Records of Baldwin County.

Jacobs Department Store

By J. Jacobs

Loxley, Alabama,

May , 1941.

Probate Judge of Baldwin County,
Bay Minette, Alabama.

Dear Sir:

Having received satisfaction in full of our claim
in the amount of \$9.54 filed by Loxley Drug Company of Loxley,
Alabama, against the Estate of Louis G. Bertolla, deceased, you are
hereby authorized and directed to cancel this claim on the
Probate Records of Baldwin County.

Loxley Drug Company,

By 

MAY 15 1941

ESTATE OF
LOUIS G. BERTOLLA, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NUMBER 716.

PETITION FOR FINAL SETTLEMENT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, The Merchants National Bank of Mobile, a corporation, respectfully represents unto the Court and your Honor as follows:

1. That it is a National Banking Corporation and as such was duly appointed by and qualified in the Probate Court of Baldwin County, Alabama as Administrator of the Estate of Louis G. Bertolla, deceased, on March 4, 1941 and is now acting as such Administrator.

2. After the appointment of Petitioner as such Administrator and on, to-wit, April 22, 1942, it filed a Petition in the Circuit Court of Baldwin County, Alabama, Equity Side, praying that the administration of the said estate be removed from the Probate Court of Baldwin County, Alabama to the Equity Side of the said Circuit Court and on, to-wit, April 22, 1941 a decree was rendered removing the said estate to the said Circuit Court, sitting in Equity, where it is now pending.

3. Immediately upon Petitioner's appointment as such Administrator, it entered upon its duties as such and has handled all of the affairs of the said estate deligently and to the best of its ability. It has not used any of the funds or other assets of the said estate for its own benefit, either directly or indirectly.

4. Petitioner did on, to-wit, August 21, 1942 file in this Court a Petition for partial settlement of the said estate, on which a decree was rendered on, to-wit, September 29, 1942, partially settling the said estate, all of which will fully appear from the said Petition and Decree.

5. More than six months have now expired since Petitioner's appointment as such Administrator. All claims against the said estate have been paid. There is no need of further continuing the administration of the said estate and it should now be finally settled.

6. Attached hereto and by reference made a part hereof, as though fully incorporated herein, is Petitioner's account as such Administrator, which shows the receipts, disbursements and the amount which it now has on hand as such Administrator.

7. The heirs of the said Louis G. Bertolla, Deceased, and those entitled to share in a distribution of the said estate are as follows: Helen S. Bertolla Jacobs, the widow, who is over twenty-one years of age and a resident of Loxley, in Baldwin County, Alabama; Denny Louis Bertolla, a son, ten years of age, and Helen Elizabeth Bertolla, a daughter, four years of age, each of whom reside with their mother at Loxley in Baldwin County, Alabama. The said Helen S. Jacobs is the legal guardian of the said minors, Denny Louis Bertolla and Helen Elizabeth Bertolla.

8. Petitioner files herewith vouchers covering all disbursements for which it claims credit.

WHEREFORE, Petitioner respectfully prays for the following separate and several relief:

A. That the Court will take jurisdiction of the cause made by this Petition and appoint and set a day to hear and determine same; that notice thereof be given to all necessary and proper parties in the form and manner prescribed by law and that a Guardian Ad Litem be appointed to represent the said minors.

B. That a reference be ordered held to examine and audit Petitioner's account filed herewith, to ascertain and report the amount of commissions due Petitioner as such Administrator, to ascertain and report the amount due Petitioner's Solicitor of Record

THE MERCHANTS NATIONAL BANK OF MOBILE, ALABAMA

AS ADMINISTRATOR OF THE ESTATE OF

LOUIS G. BERTOLLA

RECAPITULATION OF RECEIPTS AND DISBURSEMENTS FOR

THE PERIOD AUGUST 31, 1942 TO AUGUST 6, 1945

| | | |
|---|------------------|---------------------------------|
| Balance in the hands of Administrator as per decree dated Sept. 29, 1942 | | \$76,769.23 |
| Less reserve for insurance in litigation | | <u>26,972.63</u> \$49,796.60 |
| Total Receipts | \$ 1,651.63 | |
| Special Life Insurance Account | <u>29,253.90</u> | <u>30,905.53</u> \$80,702.13 |
| Total Disbursements | \$48,455.45 | |
| Special Life Insurance Account | <u>26,421.96</u> | <u>74,877.41</u> |
| Cash in hands of Administrator as of August 6, 1945 | | \$ 5,824.72 |

THE MERCHANTS NATIONAL BANK OF MOBILE, ALABAMA

AS ADMINISTRATOR OF THE ESTATE OF

LOUIS G. BERTOLLA

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

DISBURSEMENTS

| <u>DATE</u> | <u>EXPLANATION</u> | <u>AMOUNT</u> | <u>VOUCHER NUMBERS</u> |
|-------------|---|---------------|------------------------|
| 1942 | | | |
| Aug. 31 | Draft to credit account of Mrs. Helen S. Bertolla Jacobs for regular monthly payment from estate for support and maintenance | \$ 150.00 | 1 |
| Oct. 1 | Draft to J. B. Blackburn for legal services in connection with partial settlement of Estate of L. G. Bertolla-9/29/42 | 750.00 | 2 |
| Oct. 2 | Draft to J. B. Blackburn for court costs incident to partial settlement of estate through Circuit Court of Baldwin County per decree rendered 9/29/42. \$44.66 fee to W. H. Hawkins, Guardian Ad Litem \$280.00 | 324.66 | 3 |
| Oct. 2 | Draft to Merchants National Bank for fee as Administrator of estate through partial settlement in accordance with decree, 2½% on receipts of \$67,156.81 and 2½% on disbursements of \$65,031.81. | 3,304.72 | 4 |
| Oct. 2 | Draft to Merchants National Bank in full payment of note of Helen S. Bertolla to Gulf Furniture Stores, Inc. dated 7/31/41 for \$1,753.94 and interest to date from funds payable to Helen S. Bertolla from Estate of L. G. Bertolla per letter of authority from Helen S. Bertolla dated 7/31/41 | 1,785.81 | 5 |
| Nov. 2 | Draft to credit account of Mrs. Helen S. Bertolla Jacobs for payment of \$9,614.02 as per decree of partial settlement of estate less \$1785.81 directed to be deducted and used to pay indebtedness to bank | 7,828.21 | 6 |
| 1943 | | | |
| Jan. 7 | For following telephone calls re partial settlement of estate: | | |
| | 9/21/42 to J. B. Blackburn, Bay Minette | .35 | 7 |
| | 9/22/42 " " " " " " | .45 | 8 |
| | 9/30/42 " " " " " " | .55 | 9 |
| | 10/2/42 " " " " " " | .55 | 10 |
| Apr. 26 | Draft to B. F. Adams & Co. for premium on bond of bank as Administrator due 3/3/43 | 296.00 | 11 |

THE MERCHANTS NATIONAL BANK OF MOBILE, ALABAMA

AS ADMINISTRATOR OF THE ESTATE OF

LOUIS G. BERTOLLA

PROCEEDS OF LIFE INSURANCE

R E C E I P T S

| <u>DATE</u> | <u>EXPLANATION</u> | <u>AMOUNT</u> |
|-------------|--|---------------|
| 1941 | | |
| Mar. 21 | Received from New York Life Insurance Co. full proceeds of policy #10063412 on life of Louis G. Bertolla | \$26,972.63 |
| 1945 | | |
| Mar. 2 | Received from Collector of Internal Revenue as refund of overassessment of estate tax | 1,956.87 |
| Mar. 2 | Interest on above overassessment | <u>324.40</u> |
| | Total Receipts | \$29,253.90 |

D I S B U R S E M E N T S

| <u>DATE</u> | <u>EXPLANATION</u> | <u>AMOUNT</u> | <u>VOUCHER NUMBER</u> |
|-------------|---|---------------|-----------------------|
| 1943 | | | |
| June 22 | Draft to Collector of Internal Revenue for additional estate tax liability of \$1,882.93 with 6% interest from 5/24/42 paid by Administrator of Estate of Louis G. Bertolla, Deceased | 1,995.91 | 17 |
| Aug. 28 | Draft to Collector of Internal Revenue for additional interest on deficiency in estate tax, \$1,882.93 at 6% from 5/24/42 to 6/23/43 | 9.28 | 18 |
| 1944 | | | |
| Jan. 10 | Draft to R. S. Duck, Register of the Circuit Court of Baldwin Co. in Equity for payment as directed by decree of Circuit Court of Baldwin Co. rendered 11/6/43, representing portion of proceeds of insurance on life of L. G. Bertolla | 21,578.10 | 19 |
| July 12 | Draft to J. B. Blackburn for reimbursement for costs of Supreme Court of Ala. incident to appeal from Circuit Court of Baldwin Co., case involving proceeds of insurance on life of L. G. Bertolla | 15.25 | 20 |

PROCEEDS OF LIFE INSURANCE
DISBURSEMENTS

| <u>DATE</u> 1944 | | <u>EXPLANATION</u> | <u>AMOUNT</u> | <u>VOUCHER NUMBER</u> |
|---------------------|---|---|-----------------|---------------------------|
| Aug. | 3 | Draft to R. S. Duck, Register, for 1/5th of court costs incurred in lower court in case of Merchants National Bank as Administrator of Estate of L. G. Bertolla vs. Alex S. Bertolla et als | \$ 115.96 | 21 |
| Aug. | 3 | Draft to R. S. Duck, Register, for court costs on appeal in case of Administrator vs. Alex S. Bertolla et als | 307.46 | 22 |
| Aug. | 5 | Draft to J. B. Blackburn for services as Attorney for Complainant and Cross Respondent in Circuit Court of Baldwin Co. in case of Merchants National Bank of Mobile as Administrator of Estate of Louis G. Bertolla vs. Alex S. Bertolla et als - \$1,600.00. Services in re appeal of said case to Supreme Court of Ala.- \$800.00 | <u>2,400.00</u> | 23 |
| Total Disbursements | | | \$26,421.96 | |

DO NOT DETACH

ENDORSEMENT OF THIS DRAFT AND EXECUTION OF THIS RECEIPT REQUIRED

Mrs. Helen S. Bertolla

DATE July 7, 1941.

ACKNOWLEDGES TO HAVE RECEIVED THE SUM OF - - - - - \$ 300.00
IN FULL PAYMENT OF THE FOLLOWING:

32 Recd
In payment of advance to Mrs. Helen S. Bertolla in accordance with her request.

FROM: ESTATE OF LOUIS G. BERTOLLA.

Credit of
Mrs Helen S Bertolla
SIGNED

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

DECREE ON FINAL SETTLEMENT

This cause coming on again to be heard is submitted on the Register's Report on Final Settlement, Waiver of Notice of the filing of the Register's Report and Waiver of the Right to File Objections or Exceptions thereto by all parties interested in this proceeding from all of which it appears that the said reference was held as provided in the Decree rendered in this cause on September 12, 1945 at ten o'clock A. M. on Tuesday, October 10, 1945, that due notice of the time, place and purpose of the said reference was given to all or waived by all necessary and proper adult parties for more than ten days prior to the said reference; that the minors interested in this cause were represented by their Guardians Ad Litem, namely, W. H. Hawkins, Esquire and H. E. Smith, Esquire; that the said notice of the said reference was published once a week for three successive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, such notice being the notice required by law for final settlement of estates; that the Register examined and audited the vouchers and statement of account of the Administrator of said Estate and found it to be correct and each expenditure made by the said Administrator properly allowable; that the heirs of said Louis G. Bertolla, Deceased are properly set forth in the said Petition for Final Settlement which said heirs are Helen S. Jacobs, the widow; Denny Louis Bertolla, a son; Helen Elizabeth Bertolla, a daughter, the two said children being minors and that the said Helen S. Jacobs has been appointed, qualified and is now acting as guardian of and for the said minors; that each of the said parties is entitled, on this final settlement, to the amount shown in the Register's re-statement of account as contained in his report on the reference held in this cause dated

said amount being the amount due the said minor on this final settlement, for which execution may issue.

6. The sum of \$519.50 having been allowed by the Register to the said Administrator as the amount of its commissions due on this final settlement which is hereby confirmed, the said Administrator is therefore authorized, empowered, instructed and directed to pay to itself the said sum of \$519.50 from the funds of the said estate and to take its receipt therefor.

7. The sum of \$250.00 having been fixed by the Register as and for the attorney's fee due J. B. Blackburn, the Administrator's solicitor of record for services rendered by him to the Administrator through and including this final settlement, the said Administrator is authorized, empowered, instructed and directed to pay to the said J. B. Blackburn the sum of \$250.00 and take his receipt therefor.

8. The said Administrator is authorized, empowered, instructed and directed to pay the Court costs incurred in this final settlement amounting to \$129.76, which includes a fee of \$15.00 for services rendered by W. H. Hawkins, as Guardian Ad Litem of and for the said minors and the further sum of \$35.00 for services rendered by H. E. Smith, as Guardian Ad Litem of and for the said minors, and take proper receipts from the Register therefor.


9. On payment of the amounts set out in this Decree the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, and the surety on its bond as such Administrator shall be and they are each hereby relieved of and discharged from any and all liability of any and every kind and nature which exists or may exist because of the administration of the said estate.

10. The partial settlement heretofore had in this cause having been had and made in all respects as required by Title 61, Section 315 of the 1940 Code of Alabama, the said partial settlement was final and conclusive as to all items of receipts and disburse-

ments and all other transactions and matters shown therein and it is therefore unnecessary to ratify and confirm the said partial settlement of this final settlement.

11. All accounts, vouchers, evidences and statements, together with all other papers on file pertaining to this final settlement and the proceedings thereon be recorded.

ORDERED, ADJUDGED AND DECREED on this the th 16th day of October, 1945.



Judge.

ESTATE OF
LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, The Merchants National Bank of Mobile, a National Banking Corporation, respectfully represents unto the Court and your Honor as follows:

1. That it has been duly appointed, qualified and is now acting as Administrator of the Estate of Louis G. Bertolla, Deceased in the said Court.

2. That by a decree of this Court rendered in this cause and dated May 7, 1941 Petitioner, as Administrator of the said Estate was authorized, instructed and directed to hold the stocks in which the said decedent was interested at the time of his death and which are more particularly described in the inventory filed by the Administrator in this cause, for such period of time as in its judgment may be proper and in the said Decree jurisdiction of the said cause was reserved for all such other and further orders and decrees which might become requisite and proper in the premises.

3. The surviving partners of the firm of A. Bertolla and Sons, a Partnership in which the said Decedent was interested at the time of his death, consisting of Alex S. Bertolla, Angelo F. Bertolla, John P. Bertolla and Rudolph F. Bertolla, who owned an undivided four-fifths interest in all of the said stocks, have by letter, a copy of which is hereto attached, marked Exhibit "A" and by reference made a part hereof as though fully incorporated herein, requested Petitioner, as Administrator of this said estate to sell the stocks hereinafter referred to at once.


4. Petitioner further represents that the said stocks described in Exhibit "B" hereto attached, identified by the signature of M. B. Slaughter, as Vice President and Trust Officer of the

the said Merchants National Bank, a Corporation, to which reference is hereby made as though the same were fully incorporated herein, because of the present condition of the stock market and the daily fluctuation in value of such securities are liable to waste, the same are therefore perishable and should be sold at private sale at once: WHEREFORE, Petitioner prays for the following relief:

1. That the Court will consider the said securities liable to waste and therefore perishable and make an immediate order authorizing Petitioner as Administrator of the said estate to sell and convey the said stocks at private sale.

2. Petitioner further prays that such other orders may be made and decrees rendered as may be requisite and proper in the premises.


THE MERCHANTS NATIONAL BANK OF MOBILE,
a Corporation,


By _____
As its Vice President and Trust Officer.
As Administrator of the Estate of Louis
G. Bertolla, Deceased.

STATE OF ALABAMA |

MOBILE COUNTY |

Before me, the undersigned authority within and for said County in said State, personally appeared M. B. Slaughter, who, after being by me first duly and legally sworn, deposes and says: That he is Vice President and Trust Officer of the Merchants National Bank of Mobile, a Corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said corporation; that he has read the foregoing Petition; that each and all of the allegations contained therein are true.


Sworn to and subscribed before me
on this the 29 day of December, 1941.

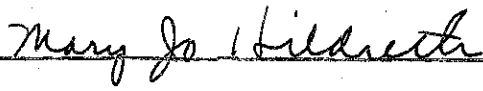

Notary Public, Mobile County, Alabama.

Exhibit A

Loxley, Alabama,

December 27, 1941

The Merchants National Bank of Mobile Administrator,
Estate of Louis G. Bertolla, Deceased,
Mobile, Alabama

Gentlemen:

We, as surviving partners, of the co-partnership operating under the trade name of A. Bertolla & Sons, request that you have sold for our account, the within listed securities, holding the proceeds until such time as we may direct otherwise. We wish to take advantage of the losses sustained as a result of the purchase of these securities, on our income tax returns and it is therefore necessary that the sale be definitely completed before December 31, 1941. If there is any reason why this request can not be complied with, please advise us promptly.

North American Trust Shares, sell all shares owned.

Selected American Shares, Inc., sell all shares owned.

Illinois Central Railroad Co., sell all certificates except one,
as follows
Retain Certificate No. H120,901, dated about June 21, 1940

Gillette Safety Razor Co., sell entire common stock only,
retain the preferred.

Schenley Distillers Corp., sell two certificates and retain three
as follows: C 3,001 dated about Oct. 3, 1938
C 8,057 " " March 18, 1940
C10,043 " " Oct. 31, 1940

S Hecker Products Corp., sell all shares owned.

Lambert Company, sell three certificates and retain two, as follows:
XC 32,801 dated about Jan. 7, 1938
XC 33,991 " " Jan. 7, 1938

Libby-Owens-Ford Glass Co., sell all shares owned

Nash Kelvinator, sell all shares owned

S Standard Brands, Inc., sell three certificates and retain one, as follows:
C 390,727 dated about Oct. 4, 1938

S United Gas Improvement Co., sell all shares owned.

Very truly yours,

A Bertolla & Sons,

By Angelo L. Bertolla

Alex S. Bertolla

R. F. Bertolla

John P. Bertolla

As surviving partners

Exhibit B

| | |
|--|------------|
| North American Trust Shares, 1955 | 2,910 Shs. |
| Selected American Shares, Inc. | 1,062 Shs. |
| Illinois Central Railroad Company Com. Stock | 500 Shs. |
| Gillette Safety Razor Company Com. Stock | 300 Shs. |
| Schenley Distillers Corp. Com. Stock | 200 Shs. |
| Hecker Products Corp. Com. Stock | 200 Shs. |
| Lambert Company Com. Stock | 300 Shs. |
| Libby-Owens-Ford Glass Company Com. Stock | 100 Shs. |
| Nash-Kelvinator Corp. Capital Stock | 300 Shs. |
| Standard Brands, Inc., Com. Stock | 300 Shs. |
| United Gas Improvement Company Com. Stock | 500 Shs. |

THE MERCHANTS NATIONAL BANK OF MOBILE,
A CORPORATION

By 
Vice President and Trust Officer

ESTATE OF
LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM

TO W. H. HAWKINS, ESQUIRE:

Take notice that by an order of the Register of this Court this day made and entered, you were appointed to act as Guardian Ad Litem of Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors under fourteen years of age, to represent and protect their interests upon all matters in connection with the Petition filed in this cause by the Administrator of the said Estate to reduce the Administrator's Bond.

Given under my hand this 21st day of February, 1945.



Register.

: :

ACCEPTANCE AND ANSWER OF GUARDIAN AD LITEM

STATE OF ALABAMA

BALDWIN COUNTY

I hereby accept appointment as Guardian Ad Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors under fourteen years of age, to represent them and protect their interests upon the hearing of the said Petition.

I consent and agree that a day be set for hearing the said Petition, waive notice thereof and further consent that the matter be heard at any place convenient to the Judge of the Circuit Court of Baldwin County, Alabama, Sitting in Equity.

For answer to the said Petition I deny each and every allegation contained therein and demand strict proof thereof.

Witness my hand this 21 day of February, 1945.



As Guardian Ad Litem for Denny Louis Bertolla and Helen Elizabeth Bertolla, Minors.

APPLICATION FOR LETTERS OF ADMINISTRATION.

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE G. W. ROBERTSON, JUDGE OF THE SAID COURT:

Your Petitioner, The Merchants National Bank of Mobile, a national banking corporation, respectfully represents unto the Court and your Honor as follows:

1. That Louis G. Bertolla, also known as Louis George Bertolla, a resident of Baldwin County, Alabama, who owned property situated therein, departed this life intestate on February 24, 1941.
2. The heirs and all of the heirs of the said Louis G. Bertolla at the time of his death were as follows: Helen Elizabeth Bertolla, the widow, who is over twenty-one years of age and of sound mind, and a resident of Loxley, in Baldwin County, Alabama; and Denny Louis Bertolla, a son six years of age, who resides with his mother, Helen Elizabeth Bertolla, at Loxley, in Baldwin County, Alabama. A posthumous child will be born to the said Louis G. Bertolla and Helen Elizabeth Bertolla within approximately sixty days from this date, which child will also be entitled to share in the property and assets of the said estate as provided by the laws of descent and distribution of the State of Alabama.
3. The estimated value of the personal property owned by the said decedent at the time of his death is the sum of Sixty-seven Thousand One Hundred Dollars (\$67,100.00), and the estimated annual rental value of the real property belonging to the said decedent at the time of his death is the sum of Five Hundred Eighty Dollars (\$580.00).
4. The said decedent, at the time of his death, held title to certain real and personal property which had been paid for with partnership funds belonging to the firm of A. Bertolla and Sons, the title thereto being taken in his own name for convenience. In estimating the value of the personal property actually owned by the said decedent at the time of his death, and in estimating the annual rental value of the real estate actually owned by the said decedent at the time of his death to enable the Court to properly arrive at

the amount of the bond to be given by the Administrator of the said estate, and for this purpose only, Petitioner did not include the total value of all of the said property in its estimate. The estimate, in so far as it relates to the said property is one-fifth thereof because of the fact that there were five partners in the said firm during the life of the said decedent.

5. Those having a prior right to be appointed as Administrator of the said estate have, by written instrument hereto attached, renounced such right and requested Petitioner's appointment.

WHEREFORE, Petitioner prays that Letters of Administration on the said estate be granted to it upon its giving bond with requisite security. Petitioner further prays that such other orders may be made and decrees rendered as may be requisite and proper in the premises.

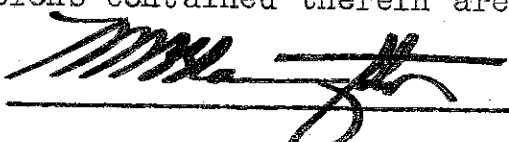
THE MERCHANTS NATIONAL BANK OF MOBILE,
a national banking corporation,

By 
As its Vice President and Trust Officer.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared M. B. Slaughter, who, after being by me first duly and legally sworn, deposes and says: That he is Vice President and Trust Officer of The Merchants National Bank of Mobile, a national banking corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said corporation; that he has read over the foregoing Petition and is informed and believes, and on such information and belief states the fact to be, that the allegations contained therein are true.



Sworn to and subscribed before me
on this the 3rd day of March, 1941.

Mary Jo Hilduth

Notary Public, Mobile County, Alabama.

RENUNCIATION OF RIGHT TO SERVE AS ADMINISTRATOR.

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE G. W. ROBERTSON, JUDGE OF THE SAID COURT:

We, the undersigned, Helen Elizabeth Bertolla, the widow of Louis G. Bertolla, Deceased, Angelo F. Bertolla, Alex S. Bertolla, John P. Bertolla and Rudolph F. Bertolla, brothers of Louis G. Bertolla, Deceased, and surviving partners in the partnership formerly conducted under the firm name and style of A. Bertolla and Sons, being a Co-Partnership composed of the said Angelo F. Bertolla, Alex S. Bertolla, John P. Bertolla, Rudolph F. Bertolla and the said Louis G. Bertolla, Deceased, do each and all hereby renounce any right which we or either of us have or may have to be appointed Administrator of the Estate of Louis G. Bertolla, Deceased, and each request that The Merchants National Bank, of Mobile, a national banking corporation, be forthwith appointed as such Administrator.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals on this the 1st day of March, 1941.

Helen Elizabeth Bertolla (SEAL)

Angelo F. Bertolla (SEAL)

Alex S. Bertolla (SEAL)

John P. Bertolla (SEAL)

Rudolph F. Bertolla (SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

I, J. T. Blackburn, a Notary Public, within and for said county in said State, hereby certify that Helen Elizabeth Bertolla, Angelo F. Bertolla, Alex S. Bertolla, John P. Bertolla and Rudolph F. Bertolla, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 1st day of March, 1941.

J. T. Blackburn
Notary Public, Baldwin County, Alabama.

ESTATE OF

LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

REPORT OF SALE OF PERSONAL PROPERTY

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Petitioner, the Merchants National Bank of Mobile, a Corporation, as Administrator of the Estate of Louis G. Bertolla, Deceased, respectfully reports as follows:

1. That pursuant to a decree rendered in this cause on December 29, 1941 the said Administrator has sold the stocks described in the petition filed in this cause on December 29, 1941, at private sale as authorized in the said decree, the names of the purchasers, the dates of sale, the stocks sold and the proceeds received therefrom being as follows:

Stocks sold through Merrill Lynch, Pierce, Fenner & Beane
12/31/41:

| <u>Name</u> | | Price Proceeds |
|--|--------|----------------|
| 100 shs. Nash Kelvinator @3 less \$3.25 tax \$7.01 Comm | 3 | \$ 289.74 |
| 200 shs. Nash Kelvinator @3-1/8 less \$6.50 tax \$14.02 Comm. | 3-1/8 | 604.48 |
| 300 shs. Standard Brands @3-7/8 less \$24. tax and \$21.03 | 3-7/8 | 1,117.47 |
| 500 shs. United Gas Impr. @4-1/8 less \$40.00 tax and \$40.05 Comm and 24¢ Postage | 4-1/8 | 1,982.21 |
| 200 shs. Hecker Products @5-1/8 less \$6.10 tax and \$18.03 Comm. | 5-1/8 | 1,000.87 |
| 300 shs. The Lambert Co. @10-1/8 less \$24. tax \$42.09 Comm. | 10-1/8 | 2,971.41 |
| 100 shs. Libby-Owens-Ford Glass Co. @19-5/8 less \$8. tax and \$14.04 Comm. | 19-5/8 | 1,940.46 |
| 500 shs. Ill. Central at 5 1/4 less \$40.00 tax and \$45.08 Comm. and 24¢ postage | 5 1/4 | 2,539.68 |
| 300 shs. Gillette Safety Razor @2-3/4 less \$24.00 tax, \$18.03 Comm and 22¢ postage | 2-3/4 | 782.76 |
| 200 shs. Schenley Distillers Corp. @15 1/2 less \$6.50 tax and \$28.07 Comm and 24¢ postage 15 1/2 | | 3,065.19 |
| | | <hr/> |
| | | \$ 16,294.27 |

Stocks sold through Distributors Group Inc. 12/31/41

| <u>Name</u> | | |
|--|-------|--------------|
| 2910 shs. North American Trust Shares of 1955 @2.03 less \$1.00 tax | 2.03 | 5,905.80 |
| 1062 shs. Selected American Shares Inc. @6-5/8 less \$1.35 tax | 6-5/8 | 7,034.40 |
| | | <hr/> |
| | | \$ 12,940.20 |

Bonds called for payment by First National Bank
of Mobile as of 1/22/42, proceeds received 1/13/42:

| | | | |
|---------|----------------------------|-----|-------------|
| \$6250. | First Mtg. 5% Coupon Bonds | 100 | \$6,250.00 |
| 6000. | Series A. Income Bonds | 100 | 6,000.00 |
| 250. | Series B Income Bonds | 100 | 250.00 |
| | | | \$12,500.00 |

Accrued Interest on above bonds received 1/13/42:

| | | |
|--------|----------------------------|----------|
| \$6250 | First Mtg. 5% Coupon Bonds | 96.31 |
| 6000 | Series A. Income Bonds | 1,456.50 |
| 250 | Series B Income Bonds | 46.65 |
| | | 1,599.46 |

Total proceeds of Stocks and Bonds sold and
called for payment.....\$43,333.93

2. The said Administrator further represents that the said Estate's interest in the stock so sold and in the proceeds therefrom is one-fifth of the said total of \$43,333.93 or \$8,666.78.

Petitioner further prays that a day be set for hearing this Report and that upon such hearing the same be in all things duly confirmed. Petitioner further prays that such other orders may be made and decrees rendered as may be requisite and proper in the premises.

THE MERCHANTS NATIONAL BANK OF MOBILE,
a Corporation,

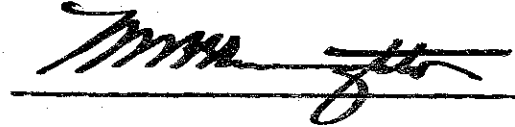
By *M. B. Slaughter*
As its Vice President and Trust Officer.
As Administrator of the Estate of Louis
G. Bertolla, Deceased.

STATE OF ALABAMA

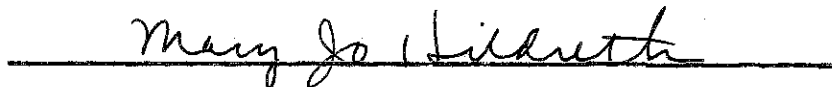
MOBILE COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared M. B. Slaughter, who, after being by me first duly and legally sworn, deposes and says: That he is Vice President and Trust Officer of the Merchants National

Bank of Mobile, a Corporation, and as such officer is duly authorized to make this affidavit for and on behalf of the said corporation; that he has read the foregoing Petition; that each and all of the allegations contained therein are true.

A handwritten signature in cursive script, appearing to read 'M. J. Wilketh', is written above a horizontal line.

Sworn to and subscribed before me on
this the 27 day of January, 1942.

A handwritten signature in cursive script, appearing to read 'Mary Jo Wilketh', is written above a horizontal line.

Notary Public, Mobile County, Alabama.

RECORDED

REPORT OF SALE OF PERSONAL
PROPERTY

ESTATE OF LOUIS G. BERTOLLA,
Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

Filed this 25th day of Jan 1942
R. B. Blackburn

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

APPLICATION FOR LETTERS OF
ADMINISTRATION

ESTATE OF

LOUIS G. BERTOLLA, De-
ceased.

BY THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA

Res. Dec. 18, 1905
Page 205

Filed in office of
Judge of Probate
County of Baldwin
Alabama
March 11, 1905

J. B. BLACKBURN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA

RECORDED

PETITION

ESTATE OF
LOUIS G. BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

DECREE ON FINAL SETTLEMENT

RECORDED

ESTATE OF
LOUIS G. BERTOLLA, Deceased

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

4
RECORDED

MOTION AND ORDER.

IN THE MATTER OF THE

ESTATE OF LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 716.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

RECORDED

DECREE

IN THE MATTER OF
THE ESTATE OF LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Filed Aug 24 1942
R. B. Blackburn
By

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

John Larson

GRAVE VAULTS AND MONUMENTS

PERPETUATE THE MEMORY

MOBILE, ALA.

April 21 1941

M. Merchants National Bank

Mobile, Alabama
Administrator of the estate of Louis B. Bertolla

| | | | |
|--------------|---------------------------|------|----|
| Febr 26-1941 | One Grave Vault | | |
| | for Mr. Louis B. Bertolla | 65 | 00 |
| | Sales Tax | 1 | 30 |
| | No discount | \$66 | 30 |

INTEREST CHARGED AFTER 30 DAYS

John Larson

Subscribed and sworn to before me,
Helen Lenz, this 21st of April 1941

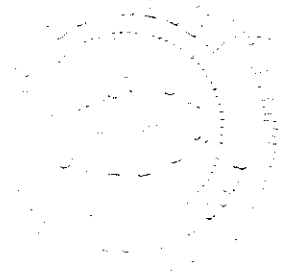
Helen Lenz
Notary Public

Claim of

Presented

Filed April 29
1941

G. M. Robertson Judge
by Kender, Clerk



11500

ADMINISTRATOR'S
BOND

ESTATE OF

LOUIS C. BERTOLLA, De-
ceased

*Rec Bond Mc
at Page 215*

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

*Filed in office of
Probate Judge
William C. ...*

Mar 4th 1941

*J. B. Blackburn
Attorney at Law*

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINNETTE, ALABAMA

RECORDED

APPRAISEMENT BILL.

ESTATE OF

LOUIS G. BERTOLLA, Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed Oct 11 1941
Produce
Bill

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

5

RECORDED

ORDER.

IN THE MATTER OF THE
ESTATE OF LOUIS G. BERTOLLA,
Deceased.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 716.

Dated May 7, 1941.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA